



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft BOARD OF SUPERVISORS

Tuesday, January 6, 2015

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 Supervisors Comstock, Smith, Farrington and Rushing.

2. Moment of Silence

3. Pledge of Allegiance

Led by Chair Rushing.

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

Animal Care and Control Officer Nolan introduced new Animal Care and Control Office Assistant Selena Craine. Officer Nolan also presented one feline currently available for adoption.

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.

7. Approval of the Consent Agenda

7.1 Approve Minutes of the Board of Supervisors meeting held December 16, 2014.

This item was carried over to January 13, 2015.

7.2 Approve Amendment No.1 to the Agreement between the County of Lake and Edgewood Center FY 2014-15 for Children and Families for Specialty Mental Health Services, a decrease of \$45,000, and Authorize the Chair to sign.

7.3 Adopt Resolution Amending Resolution No. 2014-111 to Amend the Adopted Budget for FY 2014-15 by Making Adjustments to the District Attorney Budget Unit 2110, to appropriate unanticipated revenue of \$40,000 in account 62-72 to purchase a replacement pickup.

Enactment No: Resolution No. 2015-01

- 7.4** Adopt Resolution Approving the Application and Certification Statement for the State Department of Health Care Services, CMS Branch's California Children's Services (CCS) Administration Plan Renewal Grant for FY 2014-2015 and Authorize the Board Chair to Sign Said Certification Statement

Enactment No: Resolution No. 2015-02

- 7.5** Adopt Resolution Approving Agreement Between the County of Lake and the County of Plumas for Medi-Cal Administrative Activities (MAA) and Targeted Case Management (TCM), and Authorizing the Director of Health Services to Sign.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda items 7.2 - 7.5. The motion carried by the following vote:

Ayes- Supervisors Comstock, Smith, Steele, Brown and Farrington.

Enactment No: Resolution No. 2015-03

- 7.6** Approve Agreement between the County of Lake and MRO Engineers, Inc. for Construction Engineering Services for the Soda Bay Road and Cole Creek Bridge Replacement Project near Kelseyville, CA, amount not to exceed \$45,321.00, and authorize the Chair to sign.

This item was pulled from Consent Agenda due to Chair Farrington recusing himself. The gavel was passed to Vice Chair Brown, who presented the item. Vice Chair Brown 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 Comstock, and by vote of the Board, approved the Agreement between the County of Lake and MRO Engineers, Inc. for Construction Engineering Services for the Soda Bay Road and Cole Creek Bridge Replacement Project near Kelseyville, CA, amount not to exceed \$45,321.00. The motion carried by the following vote:

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

Recused: Supervisors: 1 - Farrington

8. Timed Items

- 8.1** 9:00 A.M. - Remarks from outgoing Chair Denise Rushing and presentations to Supervisor Rushing.

Chair Rushing thanked County Administration, Staff and Department Heads, Fellow Board Members, Constituents, Family and Friends.

Each Board member expressed their appreciation to Chair Rushing, presenting a Proclamation, gifts and cards.

Ms. Rushing opened up public comment. Carol Cole-Lewis and farm community members gave a lyrical ballad presentation in Ms. Rushing's honor.

- 8.2** 9:01 A.M. - Administer Oath of Office to District 2 and District 3 Supervisors, Sheriff, Assessor-Recorder, Auditor Controller/County Clerk, District Attorney and Treasurer-Tax Collector.

Registrar of Voters Diane Fridley administered Oath of Office to District 2 Supervisor Jeff Smith, District 3 Supervisor Jim Steele, Sheriff Brian Martin, Assessor-Recorder Richard Ford, District Attorney Don Anderson, Auditor Controller-County Clerk Cathy Saderlund, and Treasurer/Tax Collector Barbara Ringen.

- 8.3** 9:02 A.M. - (a) Election of Chair of the Board of Supervisors and Vice-Chair of the Board of Supervisors for 2015 (outgoing Vice-Chair conducts election); and (b) Election of Representative and Alternate to the Regional Council of Rural Counties (RCRC); and to the RCRC affiliate joint powers authority California Home Finance Authority (CHF) Board of Directors.

District 3 Elect Supervisor Steele joined the Board.

(a) On motion of Supervisor Comstock, and by vote of the Board, elected Supervisor Farrington Chair of the Board of Supervisors for 2015. The motion carried by the following vote:

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

On motion of Supervisor Smith, and by vote of the Board, elected Supervisor Brown Vice Chair of the Board of Supervisors for 2015. The motion carried by the following vote:

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

(b) On motion of Supervisor Comstock, and by vote of the Board, appointed Chair Farrington as Representative to the Regional Council of Rural Counties (RCRC) and to the RCRC affiliate joint powers authority California Home Finance Authority (CHF) Board of Directors. The motion carried by the following vote:

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

On motion of Supervisor Smith, and by vote of the Board, appointed Supervisor Comstock as Alternate Representative to the Regional Council of Rural Counties (RCRC) and to the RCRC affiliate joint powers authority California Home Finance Authority (CHF) Board of Directors. The motion carried by the following vote:

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

8.4 9:03 A.M. - Appoint/reappoint members of the Lake County Planning Commission

Chair Farrington presented the item to the Board. Mr. Farrington 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 Comstock, and by vote of the Board, appointed Joe Sullivan as District 1 Planning Commissioner. The motion carried by the following vote:

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

On motion of Supervisor Smith, and by vote of the Board, appointed Bob Malley as District 2 Planning Commissioner. The motion carried by the following vote:

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

Chair Farrington passed the gavel to Vice Chair Brown.

On motion of Supervisor Farrington, and by vote of the Board, appointed Donald Deuchar as District 4 Planning Commissioner. The motion carried by the following vote:

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

Vice Chair Brown passed the gavel back to Chair Farrington.

On motion of Supervisor Brown, and by vote of the Board, appointed Gilbert Schoux as District 5 Planning Commissioner. The motion carried by the following vote:

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

After discussion, Supervisor Steele withdrew his initial recommendation to appoint Olga Martin- Steele as interim District 3 Planning Commissioner. The Appointment will remain vacant until further notice.

8.5 9:04 A.M. - (Sitting as the Lake County Board of Equalization) - Election of Chair and Vice-Chair of the Lake County Local Board of Equalization.

Director Farrington presented the item to the Board. Mr. Farrington 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 Director Comstock, and by vote of the Board, elected Director Brown as Chair of the Lake County Local Board of Equalization. The motion carried by the following vote:

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

On motion of Director Smith, and by vote of the Board, elected Director Farrington as Vice-Chair of the Lake County Local Board of Equalization. The motion carried by the following vote:

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

- 8.6** 9:05 A.M. - (Sitting as the Lake County In-Home Supportive Services) - Election of Chair and Vice-Chair of the Lake County In-Home Supportive Services Public Authority Board of Directors for 2015.

Supervisor Brown recused himself from this item.

On motion of Director Smith, and by vote of the Board, elected Director Farrington as Chair of the Lake County In-Home Health Supportive Services Public Authority Board of Directors. The motion carried by the following vote:

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

Recused- Supervisors: 1 - Brown

On motion of Director Smith, and by vote of the Board, elected Director Comstock as Vice-Chair of the Lake County In-Home Health Supportive Services Public Authority Board of Directors. The motion carried by the following vote:

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

Recused- Supervisors: 1 - Brown

- 8.7** 9:05 A.M. - Public Input

The following people spoke: Robert Eisenhower, Ronn Westhart, Joan Moss, Larry Anderson.

9. Non-Timed Items

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

- 9.2** Consideration of Chairman's recommended 2015 committee assignments for members of the Board of Supervisors.

Chair Farrington presented the item to the Board. Mr. Farrington 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 Comstock, and by vote of the Board, approved all Chairman recommendations to 2015 committee assignments for members of the Board of Supervisors. The motion carried by the following vote:

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

9.3 Consideration of the following appointments:

Animal Care and Control Advisory Board
Audit Committee
Building Board of Appeals
IHSS Public Authority Advisory Committee
Library Advisory Board
Lower Lake Cemetery District Board
Lower Lake Waterworks District One Board of Directors
Middletown Cemetery District Board
Public Defender Oversight Committee
Spring Valley CSA #2 Advisory Board
Upper Lake Cemetery District Board

Supervisor Farrington presented the item to the Board. Mr. Farrington asked if anyone from the public wished to speak. No one 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, appointed the following people to the Animal Care and Control Advisory Board: Paula Werner- incumbent- District 1, Grant Murray- incumbent- District 3, Susan Canon, DVM- incumbent- District 4, Nora Star- incumbent- District 5 and Victoria Chamberlin- incumbent- Member at Large. The motion carried by the following vote:

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

On motion of Supervisor Smith, and by vote of the Board, appointed Ronald Nagy- new applicant- General Membership, to the Audit Committee. The motion carried by the following vote:

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

On motion of Supervisor Smith, and by vote of the Board, appointed Paul Racine- new applicant- District 4, to the Building Board of Appeals. The motion carried by the following vote:

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

Supervisor Brown recused himself from the following Committee appointment.

On motion of Director Smith, and by vote of the Board, appointed Marilyn Johnson- incumbent- Senior Community Representative and Diane Trudeau- incumbent- Provider to the IHSS Public Authority Advisory Committee. The motion carried by the following vote:

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

On motion of Supervisor Comstock, and by vote of the Board, appointed the following people to the Library Advisory Board: Randa Fish- incumbent- District 1, Mitch Markowitz- incumbent- District 2, Trudy Nagy- new applicant- District 4, Ellen Sommers- incumbent- District 5. The motion carried by the following vote:

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

On motion of Supervisor Comstock, and by vote of the Board, appointed Curt Gambruni- incumbent to the Lower Lake Cemetery District Board. The motion carried by the following vote:

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

On motion of Supervisor Comstock, and by vote of the Board, appointed Frank Haas- incumbent to the Lower Lake Waterworks District One Board of Directors. The motion carried by the following vote:

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

On motion of Supervisor Comstock, and by vote of the Board, appointed Bonnie Albertson-incumbent and William Tobin- incumbent to the Middletown Cemetery District Board. The motion carried by the following vote:

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

On motion of Supervisor Brown, and by vote of the Board, appointed Duane Furman-incumbent- Member at Large to the Public Defender Oversight Committee. The motion carried by the following vote:

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

On motion of Supervisor Steele, and by vote of the Board, appointed the following people to the Spring Valley CSA #2 Advisory Board: Mark Currier- incumbent, Toni Fields- incumbent, Edward Smith-incumbent and James McDole-incumbent. The motion carried by the following vote:

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

On motion of Supervisor Steele, and by vote of the Board, appointed the following people to the Upper Lake Cemetery District Board: Donald Clay- incumbent, Valerie Duncan- new applicant and Anita Crabtree- new applicant. The motion carried by the following vote:

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

- 9.4** (Sitting as the Lake County Air Quality management District Board of Directors) - Consideration to Re-appoint Nancy Perrin as the Medical Member to the LCAQMD Hearing Board pursuant to Health and Safety Code.

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 this item was closed.

On motion of Director Comstock, and by vote of the Board, re-appointed Nancy Perrin as the Medical Member to the Lake County Air Quality Management Direct Hearing Board pursuant to Health and Safety Code. The motion carried by the following vote:

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

- 9.5** Request to consider offering a reward of \$5,000 for information leading to arrest and conviction of the person responsible for a murder.

Undersheriff Macedo, Detective Eric Keener and Sheriff Martin presented the item to the Board. Supervisor Brown also spoke.

Chair Farrington asked if anyone present wished to speak on this item, Joan Moss spoke. No one else 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, approved the allocation of \$5,000 (per County Administrative Officer Matt Perry, this amount will be included in mid-year budget) for information leading to arrest and conviction of the person responsible for a murder. The motion carried by the following vote:

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

9.6 SECOND READING - Consideration of an Ordinance Revising County Code Chapter 14, Article II, Division 2, Section 14-56.3.

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

Supervisor Smith offered the Ordinance and it was passed by roll call vote:

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

Abstain- Supervisors: 1- Steele

Enactment No: Ordinance No. 3022

9.7 Consideration of authorization to destroy records pursuant to Gov. Code Sec. 26202.

Sheriff Martin and Undersheriff Macedo 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 this item was closed.

On motion of Supervisor Brown, and by vote of the Board, authorized the destruction of records pursuant to Gov. Code Sec. 26202. The motion carried by the following vote:

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

9.8 Consideration of Resolution amending Position Allocations for Budget Unit 4014 - Behavioral Health.

Behavioral Health Director Linda Morris and Behavioral Health Operations and Admin Manager Kevin Thompson 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 this item was closed.

Supervisor Comstock offered the Resolution and it was adopted by roll call vote:

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

9.9 Consideration of Resolution approving the Standard Agreement for the Multi-Year Contract between the County of Lake and Department of Health Care Services for Substance Use Disorder Services for Fiscal Year 2014-15 through FY 2016-17, contract maximum of \$1,944,000.00, and Authorizing the Behavioral Health Director to sign the Standard Agreement.

Behavioral Health Director Linda Morris and Behavioral Health Operations and Admin Manager Kevin Thompson 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 this item was closed.

Supervisor Steele offered the Resolution approving the Standard Agreement for the Multi-Year Contract between the County of Lake and Department of Health Care Services for Substance Use Disorder Services for Fiscal Year 2014-15 through FY 2016-17, contract maximum of \$1,944,000.00, and authorized the Behavioral Health Director to sign the Standard Agreement. The motion carried by the following vote:

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

- 9.10 SECOND READING** - Consideration of amendment to Lake County Ordinance No. 2991, An Ordinance Adding Article Seven to Chapter Seven of the Lake County Code to Provide Support for Public, Educational, and Governmental Cable Television Access Facilities to either modify or remove the condition that the ordinance shall only become effective upon a determination by the Attorney General that the PEG fee is not a tax subject to Proposition 26.

PEG representative Ed Robey presented the item to the Board.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Dante Diamici, Shawn Swatosh, Robert Thumb. No one else present wished to speak and the public input portion of this item was closed.

This item was carried over to January 13, 2015 at 9:35 A.M. at the request of Supervisor Steele.

10. Closed Session

Chair Farrington 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 and C. Shaver; and (b) Employee Organizations: DDAA, LCEA and LCSEA.
- 10.2** Conference with Legal Counsel: Decision whether to initiate litigation pursuant to Gov. Code Sec. 54956.9(d)(4): One potential case.
- 10.3** Conference with legal counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1): Rivero v. Lake County Board of Supervisors, et al.
- 10.4** Employee Evaluations
Title: Human Resources Director

The Board reconvened into Regular Session at 12:22 p.m. having taken no action.

11. Adjournment

There being no further business, the Board adjourned at 12:22 p.m.

MATT PERRY

Clerk of the Board

By: _____

Alicia M. Flores

Assistant Clerk of the Board

Chair - Lake County Board of Supervisors