

#### MICHAEL POWERS,

County Executive Officer and Clerk of the Board of Supervisors

#### **ROBERTA RODRIGUEZ**

Chief Deputy Clerk of the Board (805) 654-2251

### LEROY SMITH,

County Counsel

# OFFICIAL SUMMARY **MINUTES JUNE 12, 2012**

# **Board of Supervisors Ventura County**

# **County Government** Center Hall of Administration **Board of Supervisors Hearing room** 800 South Victoria Avenue Thousand Oaks, Newbury Park, Westlake Ventura. California 93009

### Members of the Board

#### **JOHN C. ZARAGOZA, District 5** CHAIR

Oxnard, Oxnard Shores, Mandalay Bay, Silver Strand, Hollywood Beach, Hollywood By the Sea, Channel Islands Harbor, El Rio, Nyeland Acres, Del Norte Area, Oxnard College, Oxnard Plain, Strickland and Portion of Naval Base Ventura County Port Hueneme

#### **STEVE BENNETT, District 1**

San Buenaventura, Montalvo, Saticoy, Ojai Valley, City of Ojai, Upper Ojai Valley, Riverpark, Northwest Oxnard, North Coast and West Lockwood Valley

#### **LINDA PARKS, District 2**

Village, Oak Park, Bell Canyon, Hidden Valley, Lake Sherwood, Somis, Las Posas Valley, California State University Channels, Portions of the Oxnard Plain, Santa Rosa Valley, Naval Base Ventura County Point Mugu, California Air National Guard, and South Coast

#### **KATHY I. LONG, District 3**

Camarillo, Port Hueneme, Southeast Oxnard, East Oxnard Plain, Santa Paula, Fillmore, Piru, East Lockwood Valley, and Eastern Portion of Naval Base Ventura County Port Hueneme

#### PETER C. FOY, District 4 **VICE CHAIR**

Simi Valley, Moorpark, Santa Susana Knolls, Box Canyon, Chatsworth Peak, Home Acres, Sinaloa Lake, and Tierra Rejada Valley

# **OPENING**

- 1. Call to Order.
- 2. Roll Call.
- Moment of Inspiration.
- Pledge of Allegiance to the Flag of the United States of America. 4.
- Minutes of the meeting of the County and Special Districts governed by the Board held Tuesday, May 15, 2012 and May 22, 2012.

Motion: Approve

Moved by Kathy I. Long, seconded by Steve Bennett

Vote: Motion carried 5-0

# **OPENING, CONTINUED**

## 6. Agenda Review.

Motion: Approve TIME CERTAIN AGENDA – ITEM 13 – Removed from the agenda and postponed to a future date.

TIME CERTAIN AGENDA – ITEM 16 – Letters submitted by Elizabeth Miller Cole, Meg Goodwin, Anahata Pomeroy and Lois Marcontell.

TIME CERTAIN AGENDA – ITEM 20 – Uploaded and distributed Exhibit 5, Ventura County Watershed Protection District's Fiscal year 2011-12 Report on Benefit Assessment. CLOSED SESSION AGENDA – ITEM 23 – Letters submitted by Steven L. Kinney and Edward M. Czuker.

Moved by Kathy I. Long, seconded by Steve Bennett

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

### 7. Consent Agenda Items 10 - 15.

Motion: Approve Consent Agenda Items 10, 12 & 14-15; Consent Item 11 is heard as a Regular Item; and Consent Agenda Item 13 is continued to a future date Moved by Peter C. Foy, seconded by Linda Parks

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

#### 8. Public Comments.

Jack Hinojosa - Comments on Item 32; comments on CalWorks subsidized childcare program; and comments on the leadership of the Human Services Agency's staff.

Ratan Bhavnani - Comments on Item 31; comments on the lack of mental illness recovery facilities in Ventura County, therefore, patients are sent long distances to receive treatment; requests that the Board approve the concept; and comments on the recovery time being shortened when facilities are located locally.

#### Board Comments.

Supervisor Foy - Comments on an aerospace company creating hundreds of jobs in the Simi Valley area; and comments on a job well done by the staff and volunteers of the Elections Division.

County Clerk and Recorded Mark Lunn - comments on the June 5 election and the upcoming Presidential election; comments on opening 361 storefronts with volunteers who helped on election day; comments on the work of the 15 full-time employees of the Elections Division; comments on the realignment complications; comments on the 25% voter turnout; comments on the launched website to help get feedback from the public regarding the new polling procedures; comments on the good work of the IT staff, Mike Petit, in particular, for working long hours on election day.

# **OPENING, CONTINUED**

### 9. Board Comments, CONTINUED.

Supervisor Long - Adjournments; comments on the timeframe for the State budget to be passed being midnight on Friday; comments on the legislatures not getting paid until the budget gets passed; comments on commending the Elections Division staff and volunteers; and comments on the Lake Piru AT&T antenna services and thanks various County staff for working on this project.

Supervisor Parks - Comments on the Cornerstone church project being purchased by the Reagan Library for Open Space and wildlife corridors; comments on the Moment of Inspiration speaker; comments on the Oxnard City Council possibly approving 400 acres of prime farmland for development; comments on the Oxnard Unified School District looking at potential sites for prime farmland development; comments on several hundred acres of prime farmland being developed in the Conejo Creek area; comments on the idea of planting fruit trees at the Government Center instead of the grass; comments on attending the King Gillette Ranch Visitor Center dedication; comments on attending the "No Place Like Hope" event in the Santa Rosa Valley, benefiting animal adoptions and protect horses from slaughter; and comments on attending the Turning Point Foundation's "Champions for Mental Health" event.

Supervisor Bennett - Adjournments; comments on the Ventura County Housing Trust Fund and how Ventura County ceded a \$500,000 grant for the 10-year plan to end homelessness; comments on acknowledging the individuals who organized the Countywide Sidewalk CPR events that were held at various locations; comments on the Pacific Oaks Business Times Healthcare Champion Awards dinner; comments on Tim Hurt being the guest speaker at Ventura Council of Governments meeting at the Oxnard Tower Club; comments on attending the Faria Beach Homeowners Association and Friends of Ventura River meetings; comments on the Ventura River Parkway project, which will allow a greenbelt park and access from the beach to the mountains behind Ojai; comments on the Principal of Nordhoff High School retiring; and comments on the Turning Point Foundation event.

Supervisor Zaragoza - Adjournments; comments on the Turning Point Foundation event; comments on commending staff in the Elections Division; and comments on Dr. Bob Gonzalez and his new grandson.

# **CONSENT AGENDA**

### **HEALTH CARE AGENCY - Behavioral Health**

10. Approval of, and Authorization for, the Behavioral Health Director to Sign First Amendments with Kids and Families Together and Casa Pacifica Centers for Children and Families (Casa Pacifica) to Increase the Contract Maximum and Adjust the Provisional Unit of Service Rates Accordingly for Early Periodic Screening, Diagnosis and Treatment Services and Children's Intensive Response Team Services, Effective July 1, 2011 Through June 30, 2012; and Approval of, and Authorization for, the Behavioral Health Director to Sign the First Amendment with Casa Pacifica to Adjust the Provisional Unit of Service Rates for Residential Treatment, Effective July 1, 2011 Through June 30, 2012.

Motion: Approve

Moved by Peter C. Foy, seconded by Linda Parks

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

# **HEALTH CARE AGENCY - Public Health**

11. Approval of, and Authorization for, the Director of Public Health to Accept and Sign a Memorandum of Understanding with the Oxnard School District to Provide Mother and Daughter Education Workshops by Public Health Nurses.

Motion: Approve; Heard As a Regular Agenda Moved by Kathy I. Long, seconded by Peter C. Foy

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

# **PUBLIC WORKS AGENCY - County of Ventura**

12. Receive and File the Contractor Payment Tabulation for April 2012; All Supervisorial Districts.

Motion: Receive and File

Moved by Peter C. Foy, seconded by Linda Parks

Vote: Motion carried 5-0

# **CONSENT AGENDA, CONTINUED**

## **PUBLIC WORKS AGENCY - County of Ventura, CONTINUED**

13. Receive and File the Public Works Agency 2012-2017 Five-Year Capital Projects Programs, General Plan Conformance for All Supervisorial Districts.

Motion: Continue to a Future Date.

Moved by Kathy I. Long, seconded by Steve Bennett

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

# **RESOURCE MANAGEMENT AGENCY - Environmental Health**

14. Receive and File the Hazardous Materials Discharge Report for May 26, 2012 Through June 1, 2012 - Proposition 65.

Motion: Receive and File

Moved by Peter C. Foy, seconded by Linda Parks

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy, and John C. Zaragoza.

## **VENTURA COUNTY LIBRARY**

15. Adoption of a Resolution Approving the Special Assessment (Special Tax) in the Amount of \$35 Per Developed Commercial, Industrial, Residential or Agricultural (with Permanent Dwelling) Parcel to be Levied Within the Special Tax Zone for Fiscal Year 2012-13 for the Limited Purpose of Enhancing Library Services and/or Library Facilities Serving that Special Taxing Zone.

Motion: Approve

Moved by Peter C. Foy, seconded by Linda Parks

Vote: Motion carried 5-0

# **TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS**

#### 9:15 A.M.

16. Recommendation of Supervisors Bennett and Parks to Adopt a Resolution Calling for a Constitutional Amendment to End "Corporate Personhood."

Motion: Approve

Moved by Linda Parks, seconded by Steve Bennett

Vote: Motion carried 4-1

Yes: Steve Bennett, Linda Parks, Kathy I. Long and John C. Zaragoza.

No: Peter C. Foy.

## 9:45 A.M.

17. Receive and File an Annual Report on American Recovery and Reinvestment Act Grant Funding for the Evidence-Based Probation Supervision Program.

Motion: Receive and File

Moved by Kathy I. Long, seconded by Peter C. Foy

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

### 10:00 A.M.

18. Discuss and File the Report of Investments, Including Market Values for Investments, for the Month Ending April 30, 2012.

Motion: Receive and File

Moved by Peter C. Foy, seconded by Linda Parks

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

19. Public Hearing Regarding Adoption of a Resolution Approving the Engineer's Report, Confirming Diagram and Assessment, and Ordering Levy Assessments for Fiscal Year 2012-13 for the Oak View School Preservation and Maintenance District.

Motion: Approve

Moved by Kathy I. Long, seconded by Peter C. Foy

Vote: Motion carried 5-0

# **10:00 A.M., CONTINUED**

20. Public Hearing Regarding Approval of Fiscal Year 2012-13 Benefit Assessment Program for the Cost of Flood Control Services, Including the Components Listed as Routine Operations and Maintenance, Flood Damage Repair Reserve and Ventura Countywide Stormwater Quality Management Program for the Watershed Protection District; and Adoption of a Resolution Adopting and Confirming Fiscal Year 2012-13 Assessment of Real Property for Watershed Protection District Zones 1, 2, 3 and 4, All Supervisorial Districts.

Motion: Approve; with the addition of Exhibit 5 - Benefit Assessment Report Moved by Peter C. Foy, seconded by Steve Bennett

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

# 10:30 A.M.

21. Receive and File an Overview Presentation on the County Transportation Department Road Network System, Focusing on the Pavement Program; and Approval of the Multi-Year Pavement Rehabilitation Plan for Fiscal Years 2013-2017; All Supervisorial Districts.

Motion: Approve

Moved by Kathy I. Long, seconded by John C. Zaragoza

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

11:00 A.M. - THE BOARD OF SUPERVISORS WILL RECESS AT 11:00 A.M. TO CONDUCT BUSINESS OF THE AIR POLLUTION CONTROL BOARD (APCB) AND MAY RECONVENE UPON CONCLUSION OF THE SPECIAL APCB MEETING

### 12:00 P.M.

Closed Session - It is the intention of the Ventura County Board of Supervisors, Ventura County Fire Protection District Board, the In-Home Supportive Services (IHSS) Public Authority Board, and Ventura County Watershed Protection District Board to meet in Closed Session to consider the following items at 12:00 p.m. or earlier based on Agenda progress:

# **BEFORE THE VENTURA COUNTY BOARD OF SUPERVISORS:**

# 22. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code, § 54956.9)

PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a): NAME OF CASE: Lee Bowman v. County of Ventura, et al., Ventura County Superior Court Case No. 56-2011-00398606-CU-OE-VTA

No Action Taken.

# 23. CONFERENCE WITH REAL PROPERTY NEGOTIATIORS (Gov. Code, § 54956.8)

PROPERTY: Fisherman's Wharf, 2711 South Victoria Avenue, Oxnard, CA 93035, Parcel V COUNTY NEGOTIATOR: Lyn Krieger, Director, Harbor Department NEGOTIATING PARTIES: EMC Financial - Edward Czuker UNDER NEGOTIATION: Price and Terms of Lease

No Action Taken; Letters submitted by Steven L. Kinney and Edward M. Czuker.

# 24. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, § 54957.6) COUNTY

DESIGNATED REPRESENTATIVE: Catherine Rodriguez, Matt Carroll EMPLOYEE ORGANIZATIONS: California Nurses Association Criminal Justice Attorneys' Association of Ventura County International Union of Operating Engineers, Local 501 Service Employees International Union, Local 721 Specialized Peace Officers' Association of Ventura County Ventura County Deputy Sheriffs' Association Ventura County Professional Peace Officers Association Ventura County Sheriff's Correctional Officers' Association Ventura Employees Association

UNREPRESENTED EMPLOYEES: Management, Confidential Clerical and Other Unrepresented Employees

### 12:00 P.M.

Closed Session - It is the intention of the Ventura County Board of Supervisors, Ventura County Fire Protection District Board, the In-Home Supportive Services (IHSS) Public Authority Board, and Ventura County Watershed Protection District Board to meet in Closed Session to consider the following items at 12:00 p.m. or earlier based on Agenda progress:

## **BEFORE THE VENTURA COUNTY BOARD OF SUPERVISORS:**

No Action Taken.

25. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code, § 54956.9)

PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a): NAME OF CASE: In the Matter of the Parks Revocable Living Trust, Santa Barbara County Superior Court Case No. 1390376

No Action Taken.

#### BEFORE THE VENTURA COUNTY FIRE PROTECTION DISTRICT BOARD:

26. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, § 54957.6) COUNTY

DESIGNATED REPRESENTATIVES: Catherine Rodriguez, Matt Carroll EMPLOYEE ORGANIZATION: Ventura County Professional Firefighters Association

No Action Taken.

### BEFORE THE VENTURA COUNTY IHSS PUBLIC AUTHORITY BOARD:

27. CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code, § 54957.6)

COUNTY DESIGNATED REPRESENTATIVES: Catherine Rodriguez, Matt Carroll EMPLOYEE ORGANIZATION: Service Employees International Union, Local 6434

No Action Taken.

### 1:30 P.M.

28. Public Hearing Regarding Adoption of a Resolution Approving an Engineer's Report, Confirming Diagram and Assessment, and Ordering Levy of Assessment of the Santa Rosa Road Assessment District for Fiscal Year 2012-13, Supervisorial District No. 2.

Motion: Approve

Moved by Linda Parks, seconded by Peter C. Foy

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

# 1:45 P.M.

29. Public Hearing Regarding the Adoption of an Ordinance Amending Division 6, Chapter 9, Articles 1 Through 9 to the Ventura County Ordinance Code Pertaining to Stormwater Quality Management for Unincorporated Areas; and Find the Proposed Ordinance to be Categorically Exempt from California Environmental Quality Act Pursuant to Title 14, California Code of Regulations, Section 15308, as an Action for Protecting the Environment; All Supervisorial Districts.

Motion: Read Ordinance in Title Only; Sets Second Hearing on July 26, 2012 at 1:30 p.m. Moved by John C. Zaragoza, seconded by Kathy I. Long

Vote: Motion carried 4-1

Yes: Steve Bennett, Linda Parks, Kathy I. Long and John C. Zaragoza.

No: Peter C. Foy.

### 2:15 P.M.

30. Public Hearing Regarding the Adoption of a Resolution Approving the Engineer's Report Concerning Vector Control Benefit Assessments, Confirming the Assessment Described Therein; and Authorization for the Levy of Vector Control Benefit Assessments for Fiscal Year 2012-13.

Motion: Approve

Moved by Peter C. Foy, seconded by Kathy I. Long

Vote: Motion carried 5-0

# **REGULAR AGENDA**

### **HEALTH CARE AGENCY - Behavioral Health**

31. Approval of the Concept to Build a 15-Bed Mental Health Rehabilitation Center Located at the Camarillo Airport at 333 Skyway Drive, Camarillo; Authorization for the Director of Ventura County Behavioral Health, or Designee from the County Executive Office, to Approach the Financial Planning Committee to Obtain Approval for Financing Not to Exceed \$4,505,000 for the Demolition, Construction and Tenant Improvements of Space at the Camarillo Airport.

Motion: Approve

Moved by Kathy I. Long, seconded by John C. Zaragoza

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

# **HUMAN SERVICES AGENCY**

32. Approval of, and Authorization for, Fiscal Year 2012-13 Contracts, with Various Entities (Exhibit 1-Contracts Summary) for the Provision of a Variety of Services that Support Human Services Agency Programs; Approval of, and Authorization for the Human Services Agency Director, or His Designee, to Approve Modifications to Decrease the Amount of Each Contract, to Extend the Time for Performance Not to Exceed a Cumulative Three-Month Period, or to Approve Non-Monetary Corrections, Clarifications and Technical Changes to Each Contract, Provided that the County Executive Office and County Counsel Approve the Changes, that the Changes are Consistent with the Original Purpose of the Contract and that the Changes Do Not Result in Additional Costs to the County; and Approval of, and Authorization for the Human Services Agency Director, or His Designee, to Sign Fiscal Year 2012-13 Emergency Shelter Care Renewal Agreements, and Enter Into Any New Emergency Shelter Care Agreements with Foster Parents During Fiscal Year 2012-13 Which Do Not Exceed Budgeted Appropriations for Such Agreements, and that are Substantially in the Same Form and Content.

Motion: Approve

Moved by John C. Zaragoza, seconded by Peter C. Foy

Vote: Motion carried 5-0

# **REGULAR AGENDA, CONTINUED**

## **COUNTY EXECUTIVE OFFICE**

33. Approval of a Change in the Administrative Reporting Structure of the Ventura County Animal Services Department to a Division Under the Ventura County Department of Public Health; and Direct the Public Health Department to Work with Animal Serivces and the County Executive Office to Research Opportunities for Leveraging Health Care Agency Administrative Resources.

Motion: Approve as Modified; Add the goal to become a no kill shelter

Moved by Steve Bennett, seconded by Linda Parks

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

# TREASURER-TAX COLLECTOR

34. Approval of Notice Declining to Authorize Issuance of the 2012-2013 Tax and Revenue Anticipation Notes (TRANs) for the Conejo Valley Unified School District, Fillmore Unified School District, Moorpark Unified School District, Oak Park Unified School District, Ojai Unified School District, Oxnard Unified School District, Pleasant Valley School District, Rio Elementary School District, Santa Paula Elementary School District, Simi Valley Unified School District and Ventura Unified School District; and Approval of the Request of the School Districts to Participate in a Cash Flow Borrowing Program Sponsored by the California Cash Reserve Program to Directly Issue TRANs.

Motion: Approve

Moved by Kathy I. Long, seconded by Steve Bennett

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

# **POLICY MATTERS**

35. Recommendation of Supervisor Long to Appoint Danny Golson, Sandy Jo Stover and Vikki Marie Galan to the Piru Cemetery District.

Motion: Approve

Moved by Kathy I. Long, seconded by John C. Zaragoza

Vote: Motion carried 5-0

# **CORRESPONDENCE AGENDA**

Receive and File Correspondence Agenda Items 36 Through 39 - Communications Received and Filed by the Clerk of the Board on Behalf of the Board of Supervisors, with Copies Furnished as Indicated.

36. Receive and File Correspondence from R.P. Ghiglieri, Captain/Commander for the Ventura Area Department of California Highway Patrol Regarding a Discharge of Hazardous Waste Materials Incident Report for South Mountain Road on May 8, 2012.

Motion: Receive and File

Moved by Kathy I. Long, seconded by Peter C. Foy

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

37. Receive and File Correspondence from David E. Ross Regarding Proposed Rate Increases by Southern California Edison to Remove Dead Trees Outside of Ventura County.

Motion: Receive and File

Moved by Kathy I. Long, seconded by Peter C. Foy

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

38. Receive and File Correspondence from Jane Semones, Executive Director, Friends of the Channel Islands Harbor Association, Regarding EMC Development, LLC Developing an Initial Concept for the Revitalization of the Fisherman's Wharf Parcel and the Association Not Taking a Position on Individual Lease Negotiations.

Motion: Receive and File

Moved by Kathy I. Long, seconded by Peter C. Foy

Vote: Motion carried 5-0

Yes: Steve Bennett, Linda Parks, Kathy I. Long, Peter C. Foy and John C. Zaragoza.

39. Receive and File Correspondence from Kathy Johnsen, Regarding Concerns Over Money Spent During Elections, Corporations and Super PACs Deciding Where Money Goes, How it's Spent, and the Control Over Candidates.

Motion: Receive and File

Moved by Kathy I. Long, seconded by Peter C. Foy

Vote: Motion carried 5-0

40. At 3:00.p.m. the Board hereby adjourns in memory of Alfred Charles Young, Peggy Louise Hungate, Florence Josephine Rhoads, John F. Henkelman, Leslie French, Mary F. Carmona, Joe H. Fish, Garrison Haskins, Carl Boyd Larson, Pirlear Garner and Judy Hammer.

ROBERTA RODRIGUEZ
Chief Deputy Clerk of the Board

# **CLERK'S CERTIFICATE**

I hereby certify that the annexed instrument is a true and correct copy of the document which is on file in this office.

MICHAEL POWERS, Clerk of the Board of Supervisors, County of Ventura, State of California.

Dated:	
By:	
Deputy Clerk of the Board	