



MICHAEL POWERS,
County Executive Officer and
Clerk of the Board of Supervisors

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

LEROY SMITH,
County Counsel

SUMMARY MINUTES NOVEMBER 5, 2013

Board of Supervisors Ventura County

**County Government
Center
Hall of Administration
Board of Supervisors
Hearing room**

**800 South Victoria Avenue
Ventura, California 93009**

Members of the Board

PETER C. FOY, District 4 CHAIR

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

STEVE BENNETT, District 1 VICE CHAIR

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

Thousand Oaks, Newbury Park, Westlake
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

JOHN C. ZARAGOZA, District 5

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

OPENING

1. Call to Order.
2. Roll Call.

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

Staff Present: Michael Powers, County Executive Officer, Leroy Smith, County Counsel, Jeff Burgh, Acting Auditor-Controller, and Brian Palmer, Chief Deputy Clerk of the Board.

3. Moment of Inspiration.
Joan Wiggins, National Alliance on Mental Illness.
4. Pledge of Allegiance to the Flag of the United States of America.

OPENING, CONTINUED

5. Minutes of the Regular Meeting and Special Meeting of the County and Special Districts governed by the Board held Tuesday, October 22, 2013.

Motion: Approve as Modified

Moved by Linda Parks, seconded by Kathy I. Long

Vote: Motion carried 5-0

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

6. Agenda Review

Motion: Approve as Modified

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

Vote: Motion carried 5-0

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

7. Consent Agenda Items 10 - 17

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, John C. Zaragoza, and Peter C. Foy.

8. Public Comments

Christopher Smith comments on UC Cooperative Extension - serving agriculture and agriculture education. Submitted Bio to the Board.

9. Board Comments

Supervisor Bennett - Adjournments; comments on attending the Gold Coast Veteran's Foundation annual dinner; congratulates Supervisor Parks on the success of the Senior Summit; comments on the National Alliance on Mental Illness celebration.

Supervisor Parks – Adjournments; comments on the Senior Summit; comments on taking a tour of Santa Cruz Island on their ecological restoration; comments on participating in the Cal Lutheran University Mathews Leadership forum as a facilitator; comments on the Board approving the hazardous materials discharge summary report on today's consent agenda and points out that there was a leak related to oil drilling in Santa Paula;

OPENING, CONTINUED

9. Board Comments, CONTINUED

Supervisor Long - Adjournments; thanks Supervisor Parks for her good work on the Senior Summit; comments on Southern California Edison and the Climate Registry honoring the County of Ventura with an award for our outstanding environmental leadership and energy and carbon management; comments on Veteran's day events taking place at the Government center and that the unveiling ceremony for the Purple Heart Trail will take place at 10:00 a.m. on Veteran's day and that Ventura County has over 500 Purple Heart recipients; comments on Supervisor Parks coming in first place in a 5K for her age group.

Supervisor Zaragoza – Adjournments; comments on attending the rosary for Rodney Fernandez; comments that he will be attending Veteran's day celebration at Plaza Park in Oxnard; comments on the Community Garden for Food Share; thanks Meloney Roy for her work and received a tour of the Behavioral Health facilities; comments on attending the “Day of the Dead” (Dia de los Muertos) celebration; thanks staff member Lourdes Solorzano for attending the Senior Summit; comments that staff member Bill Gallagher attended the annual Fire Firefighter's Memorial event; and comments on attending mass for Dorothy Ramirez..

Supervisor Foy – Adjournments; comments on the hazardous waste discharge report and that the leak was in a line; comments on NAMI and mental health awareness; comments on Moorpark's Rachael Newman winning Western States Conference in cross country; comments on Sara Baxter beating records and her accomplishments.

CONSENT AGENDA

COUNTY EXECUTIVE OFFICE

10. Adoption of a Resolution Extending the Proclamation of a Local Emergency Declared on September 10, 2013, by the Board of Supervisors and Extended on October 8, 2013, in the Areas of Channel Islands Harbor and the Shoreline of the City of Port Hueneme.

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, John C. Zaragoza, and Peter C. Foy.

HEALTH CARE AGENCY - Behavioral Health

11. Approval of the Bylaws for the Ventura County Behavioral Health Advisory Board.

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, John C. Zaragoza, and Peter C. Foy.

CONSENT AGENDA, CONTINUED

HEALTH CARE AGENCY - Behavioral Health, CONTINUED

12. Ratification of, Approval of, and Authorization for, the Ventura County Behavioral Health Director, or Her Designee, to Sign the Third Amendment to the Agreement with Interface Children & Family Services, to Decrease the Maximum Contract Amount to \$475,020 for Children's Specialty Court Program Mental Health Services, Effective July 1, 2013 through June 30, 2014.

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, John C. Zaragoza, and Peter C. Foy.

13. Ratification of, Approval of, and Authorization for, the Ventura County Behavioral Health (VCBH) Director, or Her Designee, to Sign the Department of Health Care Services Performance Agreement Specifying the Annual Terms and Conditions Applicable to the Provision and Funding of Mental Health Services, Effective July 1, 2013 through June 30, 2014; Approval of, and Authorization for, the VCBH Director, or Her Designee, to Sign Future Amendments Within the Term of the Agreement that Make Corrections, Clarifications, and Technical Changes Provided that the County Executive Office and County Counsel Approve of the Changes and that the Changes are Consistent with the Original Purpose of the Agreement and Do Not Result in Additional Costs to the County.

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, John C. Zaragoza, and Peter C. Foy.

PUBLIC WORKS AGENCY - County of Ventura

14. Approval of the Plans and Specifications including, Addendum No. 1, for the Rice Avenue at Wooley Road Intersection Improvement Project Located in the Oxnard Plain Area; Waive Minor Bid Irregularities; Award of, and Authorization for, the Public Works Agency Director to Execute a Contract With Taft Electric Company of Ventura in the Amount of \$121,577, on the Basis of the Lowest Responsible Bid; Specification No. RD13-09, Project No. 50341, Supervisorial District No. 5.

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, John C. Zaragoza, and Peter C. Foy.

CONSENT AGENDA, CONTINUED

PUBLIC WORKS AGENCY - County of Ventura, CONTINUED

15. Approval of, and Authorization for, the Public Works Agency Director to Execute a Consulting Services Contract with Roesling Nakamura Terada Architects of San Diego for Architectural and Engineering Services in the Amount of \$556,623 for Environmental Review, Permitting, Design, and Construction Services for the Newbury Park Fire Station No. 35; Contract No. AE14-021, Project No. ENT11201, Supervisorial District No. 2.

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, John C. Zaragoza, and Peter C. Foy.

RESOURCE MANAGEMENT AGENCY - Environmental Health

16. Receive and File the Hazardous Materials Discharge Reports for October 12, 2013 Through October 25, 2013 - Proposition 65.

Motion: Receive and File

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

Vote: Motion carried 5-0

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

UNSCHEDULED VACANCY NOTICE

17. Receive and File Unscheduled Vacancy Notices of Abbe Berns for the Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Camarillo, Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Ojai, Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Port Hueneme, Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Simi Valley, Oversight Board for the Successor Agency of the Former Redevelopment Agency for the City of Thousand Oaks, and John F. Johnston for the Ventura County Campaign Finance Ethics Commission.

Motion: Receive and File

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

Vote: Motion carried 5-0

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

TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS

10:00 A.M.

18. Public Hearing Regarding the Amendments to the Ventura County Ordinance Code Division 4, Chapter 4 (Animals), and Division 2, Chapter 4, Article 6 (Kennels), Including Mandatory Spay/Neuter for Dogs and Cats, Requirements for Breeding Permits for Dogs and Cats, Including a \$100 Per Animal Fee for Annual Breeding Permit, Prohibition of the Sale of Certain Commercially Bred Animals, Provide for the Provisional Recission of Animal Nuisance Order Penalties Upon Specific Conditions, Describe the Appeal Process of a Hearing Officer's Decision after an Animal Nuisance Hearing, Address Failure to Quarantine, Address Permitting Animals to go Without Care, Address Rescue and Abandonment of Domestic Animals, Provide for Issuance of Wild Animal Facility Licenses, and Other Minor Text and Technical Corrections.

Motion: Approve as Modified

Moved by Steve Bennett, 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.

19. Receive and File a Presentation from the Human Services Agency as a Financial Empowerment Program Partner in the Volunteer Income Tax Assistance Program.

Motion: Receive and File

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

Vote: Motion carried 5-0

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

10:30 A.M.

20. Approve the Purchase of Real Property Located at 1911 Williams Drive, Oxnard; Direct the Public Works Agency Director, or His Designee, to Execute the Agreement of Purchase and Sale of Said Property with MSP 1911 Williams, LLC, the Escrow Instructions and Related Documents with Chicago Title Escrow Required to Close the Transaction Upon Review and Approval by County Counsel; Waive Board Policy Prohibiting Inclusion of Attorney's Fees Provision in County Contracts for the Escrow Agreement for this Sale; Authorize the Director of the General Services Agency, or His Designee, to Negotiate and Execute a Professional Services Contract with Dave Szany to Provide Design Services for Tenant Improvements for an Amount Not to Exceed \$200,000; Authorize the Auditor Controller to Make Payment in an Amount Not to Exceed \$22,760,000 to Complete the Transaction; Authorize the Auditor Controller to Prepare the Necessary Accounting Transactions for this Purchase. Supervisorial District No. 5.

Motion: Approve

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

Vote: Motion carried 5-0

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

TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS, CONTINUED

10:30 A.M., CONTINUED

21. Presentation of the First Quarter Budget Report and Approval of Fiscal Year 2013-14 Adjustment Recommendations; Authorize the County Executive Office to Contribute \$5,000 in Minor Contributions, Not to Exceed a Total Amount of \$25,000 per year; Authorize Information Technology Services Department to Make a \$5,000 Contribution to Economic Development Collaborative Ventura County.

Motion: Approve as Modified

Moved by Steve Bennett, seconded by Kathy I. Long

Vote: Motion carried 5-0

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

11:00 A.M.

22. Receive and File an Overview Presentation Regarding County-Maintained Bridge Conditions. All Supervisorial Districts.

Motion: Continue

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

Vote: Motion carried 5-0

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

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:

23. **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

No Action Taken

12:00 P.M., CONTINUED

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:

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

PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d)(1):
NAME OF CASE: John Capella v. County of Ventura, Ventura County Superior Court Case No. 56-2012-00417463-CU-PO-VTA

No Action Taken

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

PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d)(1):
NAME OF CASE: Robert Brooks v. County of Ventura, Ventura County Superior Court Case No. 56-2013-00442638-CU-PT-VTA

No Action Taken

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

PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (d)(1):
NAME OF CASE: Spiess Construction Company v. County of Ventura, Office of Administrative Hearings Case No. A-0010-2012

Announcement: Approved settlement for the County to pay \$25,000 in complete settlement of all construction claims.

Vote: 5 – 0

27. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Gov. Code, § 54956.9)

INITIATION OF LITIGATION PURSUANT TO SUB-DIVISION (d)(4) OF SECTION 54956.9:
One case.

No Action Taken

12:00 P.M., CONTINUED

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 FIRE PROTECTION DISTRICT BOARD:

28. 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:

29. 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

REGULAR AGENDA

AUDITOR-CONTROLLER

30. Receive and File the Annual Review of Accounts or Funds Containing Developer Fees as of June 30, 2013; Find that there is a Reasonable Relationship Between the Fees and the Purpose for Which they are Committed; and Find that Anticipated Fund Sources, Amounts, and Dates of Receipt of Funding to Complete Projects, and the Date of Construction Commencement, are Identified and Designated as Required by Government Code Sections 66000, 66001, and 66006.

Motion: Receive and File

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

Vote: Motion carried 4-0

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

Absent: Steve Bennett.

REGULAR AGENDA, CONTINUED

BOARD OF SUPERVISORS

31. Recommendation of Supervisor Foy to Cancel the November 26, 2013 Board of Supervisors Meeting; Direct the Clerk of the Board to Reschedule any Public Hearings that were Scheduled for that Date.

Motion: Approve

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

Vote: Motion carried 4-0

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

Absent: Steve Bennett.

RESOURCE MANAGEMENT AGENCY

32. Adoption of a Resolution, and Approval of, the Policy and Process for Naming or Renaming Existing Public and Private Roads and County Highways in the Unincorporated Areas of Ventura County; and Authorization for the Planning Director to Hear Under Said Policy, Naming Requests Made by Private Parties and Non-County Public Agencies.

Motion: Approve as Modified

Moved by Peter C. Foy, seconded by Linda Parks

Vote: Motion carried 5-0

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

POLICY MATTERS

33. Recommendation of Supervisor Zaragoza to Dissolve the El Rio Roger Jones Community Center Recreation Advisory Commission, Transfer Duties to the El Rio/Del Norte Municipal Advisory Council (El Rio MAC) and El Rio MAC Related Matters, Including Appointments and Re-appointments.

Motion: Approve

Moved by John C. Zaragoza, seconded by Steve Bennett

Vote: Motion carried 5-0

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

CORRESPONDENCE AGENDA

Receive and File Correspondence Agenda Items 34 Through 35 - Communications Received and Filed by the Clerk of the Board on Behalf of the Board of Supervisors, with Copies Furnished as Indicated.

34. Receive and File Correspondence from Tony Fiori, Tori Shuken, and Jon Shuken of Vista Honda, Regarding Notice Pursuant to the California Worker Adjustment and Retraining Notification Act of the Termination of 87 Employees of Vista Honda Located at 6450 Auto Center Drive, Ventura; No Bumping Rights Will Exist.

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, John C. Zaragoza, and Peter C. Foy.

35. Correspondence from Lucas Thayer Regarding the Bus System.

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, John C. Zaragoza, and Peter C. Foy.

36. At 4:40 p.m. the Board hereby adjourns in memory of Michael W. Johnson, James M. Harvey, Lewis Harrison, Jr., Clinton B. Rogers, George Baron, Joseph A. Terry, William Domhart, III, John Nicoletto, Dale E. Fletcher, Albert Darakjian, Charles Peter Weiland, Jr., Floyd Henry McClary, Margaret Louise Donovan, Rodney Fernandez, Joe Martinez, Frank Werner Gruenthal, Clarence Pfannenstein, Cal Dishman, Dorothy Margaret Ramirez, Brian Davison, James Walter Payne, Tom Gordon Simmons, Ignacio Mendoza, Jr., George John Morman, Patricia Maclure Barrett, Francine Gonzales Ontiveros, Myrtle Marie McCroskey, and Peter Allen Volden.

BRIAN PALMER
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