



REGULAR MEETING SUMMARY

June 12, 2012

8:30 A.M.

Board of Supervisors
Ventura County

County Government Center
Hall of Administration
Board of Supervisors
Hearing Room
800 S. Victoria Avenue
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

Thousand Oaks, Newbury Park, Westlake Village, Oak Park, Bell Canyon, Hidden Valley, Lake Sherwood, Somis, Las Posas Valley, California State University Channel Islands, 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

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

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Items, and Summary of Actions

Persons who require accommodation for any audio, visual or other disability in order to review an agenda, or to participate in a meeting of the Board of Supervisors per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation in writing addressed to the Clerk of the Board, 800 South Victoria Avenue, Loc. #1920, Ventura, CA 93009 or telephonically by calling (805) 654-2251. Any such request for accommodation should be made at least 48 hours prior to the scheduled meeting for which assistance is requested.

All agenda reports and supporting data, including those filed in accordance with Government Code Section 54957.5 (b) (1) and (2) are available from the Clerk of the Board of Supervisors Office, Ventura County Government Center, Hall of Administration, 4th Floor, 800 South Victoria Avenue, Ventura, California. The same materials will be available and attached with each associated agenda item, when received, at the following website: www.countyofventura.org/bosagenda.

Welcome to the Meeting of the Board of Supervisors of the County of Ventura, also sitting as the Governing Board of the County Service Districts, Fire Protection District, Lake Sherwood Community Services District, Redevelopment Agency of the County of Ventura, Watershed Protection District, Ventura County In-Home Supportive Services Public Authority, Ventura County Library, Ventura County Public Financing Authority, and the Waterworks Districts.

The following information is provided to help you understand, follow, and participate in the Board meeting:

Pursuant to California Government Code Section 54953 (a) et. al., time is set aside for citizen presentations regarding County related matters. Those wishing to speak must fill out a speaker card and submit it to the Clerk. Speaker cards for issues not on the agenda must be submitted to the Clerk prior to the beginning of the public comment period. Agendized item, speaker cards must also be submitted before the item is taken up for consideration. The Clerk may not accept any additional speaker cards once an item commences.

Regular Agenda items are not Time Certain items and they will be heard at the Board's discretion, either before or after scheduled Time Certain Appointments and Hearings.

Correspondence Agenda matters are being presented to the Board for information. These items require no action or are not ready for Board consideration. The Clerk of the Board may refer these matters to the County Departments and Agencies for acknowledgement, investigation and report back, direct action or response as appropriate. Report back to the Board may appear on Agenda for action by the Board of Supervisors or for informational purposes upon dates indicated below as appropriate.

Members of the public making oral presentations to the Board in connection with one or more agenda or non-agenda items at a single meeting are limited to a cumulative total of time not to exceed five (5) minutes for all of their oral presentations at such meeting unless otherwise provided. The entire public comment period is limited to no more than thirty (30) minutes total for all speakers. NOTE: The Chair may limit the number or duration of speakers on a matter pursuant to amended Resolution #205 of the Board of Supervisors establishing rules relating to oral presentations by members of the public dated September 18, 2001.

Members of the public who desire to augment their comments with visual or audio presentations using County equipment must submit their materials to the Clerk of the Board and the Chair for review before use of County equipment will be allowed. The review will be conducted to determine only whether the materials are on matters within the jurisdiction of the Board, would be disruptive of the meeting, or would foster illegality, such as identity theft. If it is determined the materials are about matters not within the Board's jurisdiction, or would be disruptive of the meeting, or would foster illegality, use of County equipment will not be allowed.



REMINDER: In order to minimize distractions during public meetings, all personal communication devices should be turned off or put in a non-audible mode.

OPENING

1. Call to Order.
2. Roll Call.
3. Moment of Inspiration.
4. Pledge of Allegiance to the Flag of the United States of America.
5. [Minutes of the meeting of the County and Special Districts governed by the Board held Tuesday, May 15, 2012 and May 22, 2012.](#)
APPROVED
6. Agenda Review - Consider and approve, by majority vote, minor revisions to Board items and/or attachments and any item added to, or removed/continued from, the Board of Supervisors Agenda.
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.
7. Consent Agenda Items 10 - 15 - Review and approve unless an item is pulled for separate action by the Board and moved to the Regular agenda for consideration. Consent items are to be routine and non-controversial. All items are approved as recommended without discussion. (See Guidelines above)
APPROVED CONSENT AGENDA ITEMS 10, 12 AND 14 – 15; CONSENT ITEM 11 IS HEARD AS A REGULAR ITEM; CONSENT ITEM 13 IS CONTINUED TO A FUTURE DATE.
8. Public Comments - Citizen presentations regarding County related matters NOT appearing on this agenda. (See Guidelines above)
THE FOLLOWING PERSONS ARE HEARD: JACK HINOJOSA AND RATAN BHAVNANI
9. Board Comments - Comments by Board members on matters they deem appropriate including memorial adjournments. A Board member may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. A Board member may also provide a reference to staff or other resources for factual information, or request staff to report back to the body at a subsequent meeting concerning any matter. The Board may also direct staff to place a matter of business on a future agenda.

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.](#)
APPROVED

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.](#)
APPROVED

PUBLIC WORKS AGENCY - County of Ventura

12. [Receive and File the Contractor Payment Tabulation for April 2012; All Supervisorial Districts.](#)
RECEIVED AND FILED
13. [Receive and File the Public Works Agency 2012-2017 Five-Year Capital Projects Programs, General Plan Conformance for All Supervisorial Districts.](#)
CONTINUED TO A FUTURE DATE

RESOURCE MANAGEMENT AGENCY - Environmental Health

14. [Receive and File the Hazardous Materials Discharge Report for May 26, 2012 Through June 1, 2012 - Proposition 65.](#)
RECEIVED AND FILED

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.](#)
APPROVED

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."](#) (Supervisors Bennett and Parks) **APPROVED; WITH SUPERVISOR FOY DISSENTING**

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.](#) (Probation) **RECEIVED AND FILED**

10:00 A.M.

18. [Discuss and File the Report of Investments, Including Market Values for Investments, for the Month Ending April 30, 2012.](#) (Treasurer) **RECEIVED AND FILED**
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.](#) (General Services Agency) **APPROVED**
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.](#) (Public Works Agency) **APPROVED; WITH THE ADDITION OF EXHIBIT 5 – BENEFIT ASSESSMENT REPORT**

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.](#) (Public Works Agency) **APPROVED**

TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS, CONTINUED**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 NEGOTIATIONS \(Gov. Code, § 54956.8\)](#)**

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
NO ACTION TAKEN

TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS, CONTINUED**12:00 P.M., CONTINUED**

Closed Session, CONTINUED - 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: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. \(Public Works Agency\)](#)**
APPROVED

TIME CERTAIN ITEMS, PRESENTATIONS AND HEARINGS, CONTINUED**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. \(Public Works Agency\)](#)
READ ORDINANCE IN TITLE ONLY; SET SECOND HEARING ON JULY 26, 2012 AT 1:30 P.M.

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. \(Resource Management Agency\)](#)
APPROVED

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.](#)
APPROVED

REGULAR AGENDA, CONTINUED**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.
- APPROVED**

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 Services and the County Executive Office to Research Opportunities for Leveraging Health Care Agency Administrative Resources.](#)
- APPROVED AS MODIFIED; ADD THE GOAL TO BECOME A NO-KILL SHELTER**

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.](#)
- APPROVED**

POLICY MATTERS

35. [Recommendation of Supervisor Long to Appoint Danny Golson, Sandy Jo Stover and Vikki Marie Galan to the Piru Cemetery District.](#)
- APPROVED**

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.](#)
**RESOURCE MANAGEMENT AGENCY
RECEIVED AND FILED**
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.](#)
RECEIVED AND FILED
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.](#)
**HARBOR DEPARTMENT
RECEIVED AND FILED**
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.](#)
**COUNTY CLERK AND RECORDER / ELECTIONS
RECEIVED AND FILED**