

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JULY 17 and 18, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 17th day of July, 2012, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, Interim County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Brown. Following a moment of silence, Supervisor Smith led the salute to the flag of the United States of America.

1. **ITEM A-2 - 9:05 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-7.

Approved Minutes of the Board of Supervisors meeting held on July 10, 2012.

Authorized the Elections Official to render all services necessary to conduct the City of Clearlake's General Municipal Election on November 6, 2012, for the purpose of electing three (3) members of the City Council, pursuant to the City's Resolution No. 2012-22.

Approved Amendment to the Agreement between the County of Lake and the State Department of Alcohol and Drug Programs, for an increase of \$86,218, for FY 2012-13 substance use disorder services, and authorized the Chair to sign.

Approved Third Amendment to Agreement between the County of Lake and Anasazi Software Inc., for a maximum amount of \$70,000 annually, for FY 2012-13 and subsequent years' for software and maintenance services, and authorized the Chair to sign.

Adopted Resolution No. 2012-83, approving the submittal of a functional classifications change for local streets and roads to the State of California, Department of Transportation (Merritt Road and Gaddy Lane).

Sitting as the Lake County Sanitation District Board of Directors, (a) approved Easement Deed and directed Clerk to certify for recordation (APN 039-333-21 - Martin Ramos and Olga Contreras), and approved Right of Way Agreement between the County of Lake and Martin Ramos and Olga Contreras for the construction of the wastewater force main sanitary sewer line; (b) approved Easement Deed and directed Clerk to certify for recordation (APNs 039-372-04 & 06 - Robert Adelman), and approved Right of Way Agreement between the County of Lake and Robert Adelman for the construction of the wastewater force main sanitary sewer line; and (c) approved Easement Deed and directed Clerk to certify for recordation (APN 039-332-20 - Lenda Dragoman), and approved Right of Way Agreement between the County of Lake and Lenda Dragoman for the construction of the wastewater force main sanitary sewer line, and authorized the Chair to sign the agreements.

Approved Minutes of the Board of Supervisors meeting held on July 9, 2012.

2. **ITEM A-4 - Current Construction Projects - Contract Change Orders:**

Change Order #2 - Soldier Pile Retaining Wall on Socrates Mine Road PM 1.84 - FEMA-CA-DR 1628, Bid No. 11-10 - This change order addresses the deepening of several pile holes, changing the in-place quantities of several bid items, and an increase of Class 2 concrete.

Public Works Director Scott De Leon presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Change Order #2 - Soldier Pile Retaining Wall on Socrates Mine Road PM 1.84 - FEMA-CA-DR 1628, Bid No. 11-10, Bouthillier's Construction, for an increase of \$12,655, and authorized the Chair to sign.

3. **ITEM A-10 - Consideration of proposed letter of support for AB 2443 (Williams) establishing a Statewide Boat Fee to be used to help prevent and control Quagga and Zebra Mussel infestation** - Amendments were made to the letter.

Chair Brown asked if anyone was present wishing to speak and Betsy Cawn spoke. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the letter of support for AB 2443 (Williams) establishing a Statewide Boat Fee to be used to help prevent and control Quagga and Zebra Mussel infestation, and authorized all Supervisors to sign.

4. **ITEM A-5 - 9:10 A.M. - Presentation of the 2011 Crop Report** - Agricultural Commissioner Steve Hajik presented the staff report.

There was Board consensus to accept the 2011 Crop Report.

5. **ITEM A-6 - 9:15 A.M. - PUBLIC HEARING - Protest Hearings for: (a) Annual water standby charges and delinquent water fees in County Service Areas Nos. 2, 6, 7, 13, 16, 18, 20, 21 and 22; (b) Delinquent water fees in Kelseyville County Waterworks District #3; (c) Confirming collection of annual lighting fees in County Service Area No. 1 - Clear Lake Keys Lighting; and (d) Delinquent sewer fees in Lake County Sanitation District** - Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Copping were present.

Chair Brown opened the public hearing. No one was present wishing to speak and the public hearing was closed.

(a) Supervisor Rushing offered Resolution No. 2012-84, confirming collection of delinquent water fees in County Service Areas (CSA Nos. 2, 6, 7, 13, 16, 18, 20, 21 and 22), and it was passed by roll call vote (5 ayes).

The Board of Supervisors adjourned and convened as the Kelseyville Waterworks District #3 Board of Directors.

(b) Director Rushing offered Resolution No. 2012-85, confirming collection of delinquent charges for services rendered in Kelseyville County Waterworks District #3, and it was passed by roll call vote (5 ayes).

The Kelseyville Waterworks District #3 Board of Directors adjourned and reconvened as the Board of Supervisors.

(c) Supervisor Rushing offered Resolution No. 2012-86, confirming collection of annual lighting fees in County Service Area No. 1, and it was passed by roll call vote (5 ayes).

The Board of Supervisors adjourned and convened as the Lake County Sanitation District Board of Directors.

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(d) Director Rushing offered Resolution No. 2012-87, confirming collection of delinquent sewer fees in Lake County Sanitation District, and it was passed by roll call vote (5 ayes).

The Lake County Sanitation District Board of Directors adjourned and reconvened as the Board of Supervisors.

6. **ITEM A-9 - Consideration of the following appointments: Glenbrook Cemetery District, and Hartley Cemetery District** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Donna White to the Hartley Cemetery District, for a term to expire January 1, 2015.

On motion of Supervisor Smith and by vote of the Board (5 ayes), appointed Frank De Haven to the Glenbrook Cemetery District, for a term to expire January 1, 2016.

7. **ITEM A-7 - Continued from June 12, 2012 - 9:30 A.M. - PUBLIC HEARING - Discussion/consideration of appeal (AB 12-01) of the Planning Commission's decision to deny the Use Permit (UP 11-09) for a five year time extension for an existing off-site advertising sign (billboard); appellant is La Monica Signs; site location is 255 Soda Bay Road, Lakeport (APN 008-019-64)** - Community Development Director Rick Coel, Senior Planner Kevin Ingram, Andre Ross and Sam La Monica were sworn in by the Clerk.

Mr. Ingram presented the staff report.

Chair Brown opened the public hearing and the following people spoke: Victoria Brandon and Phil Murphy. No one else was present wishing to speak and the public hearing was closed.

Amendments were made to the findings.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Rushing NO), upheld the appeal (AB 12-01) by La Monica Signs based upon the findings listed in the staff memorandum dated July 11, 2012, as amended, and directed staff to prepare Findings of Fact.

8. **ITEM A-13 - 9:45 A.M. - (a) Update on developments related to the progress of the Medicinal Marijuana Cultivation Advisory Board; and (b) Consideration of proposed disbandment of the Medicinal Marijuana Cultivation Advisory Board** - Community Development Director Rick Coel was present.

(a) Supervisors Rushing and Farrington introduced the item.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Phil Murphy, Victoria Brandon, Joan Moss, Dan Rush, Fred Langston, John Brosnan, Joe Fernandez, Charles Fowler, Bobby Dutcher, Melissa Fulton and Paul Kolb. No one else was present wishing to speak and the public input portion of this item was closed.

(b) Supervisor Rushing made a motion to allow the advisory board to have one more meeting and to report resulting recommendations to the Board at the August 7, 2012 meeting. This motion was defeated (2 ayes, Supervisors Comstock, Farrington and Brown NO).

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Smith NO), disbanded the Medicinal Marijuana Cultivation Advisory Board.

After a brief recess, the Board reconvened into Regular Session at 12:10 p.m.

The Board of Supervisors adjourned and convened as the Lake County Watershed Protection District Board of Directors.

9. **ITEM A-11 - Consideration of request for Board direction regarding the filing of an application with the Lake Local Agency Formation Commission (LAFCo) for exemption from a Municipal Service Review, pursuant to Government Code 56128** - Water Resources Director Scott De Leon presented the staff report.

Chair Brown asked if anyone was present wishing to speak and Betsy Cawn spoke. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Director Farrington and by vote of the Board (4 ayes, Supervisor Rushing NO), authorized the filing of an application with the Lake Local Agency Formation Commission (LAFCo) for exemption from a Municipal Service Review, pursuant to Government Code 56128, with the addition of an advisement in the application that the County might apply to end the exemption in the future.

10. **ITEM A-12 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, M. Perry, J. Hammond and A. Flora; and (b) Employee Organization: DDAA 2. Employee Disciplinary Appeal EDA 2012-05** - Sean Howell and Glen Capurro spoke regarding Employee Disciplinary Appeal EDA 2012-05.

Chair Brown announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken at 1:15 p.m.

There being no further business, the Board of Supervisors adjourned at 1:15 p.m.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JULY 18, 2012

The Honorable Board of Supervisors of Lake County, California, reconvened in regular session this 18th day of July, 2012, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, Interim County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Brown. Following a moment of silence, Chair Brown led the salute to the flag of the United States of America.

1. **ITEM A-1 - 8:00 A.M. - (a) Consideration of draft expenditure plans for various funding amounts generated by a Countywide Transportation Sales Tax Measure; (b) Consideration of draft expenditure plans for various funding amounts generated by a Countywide Lake Program Sales Tax Measure; and (c) Consideration of proposed Resolutions authorizing Countywide Sales Tax Measures for Transportation and/or Lake Programs** - (a) and (b) Public Works and Water Resources Director Scott De Leon and Assistant Public Works Director Lars Ewing presented the staff report.

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Chair Brown asked if anyone was present wishing to speak and the following people spoke: Phil Murphy, Betsy Cawn, Joey Luis, Margaret Silveira, Melissa Fulton and Diane Gill. No one else was present wishing to speak and the public input portion of this item was closed.

(c) Amendments were made to the proposed ordinance.

There was Board consensus to direct staff to move forward with the preparation of a resolution calling for an election for a sales tax measure for invasive species programs which include algae and weed control, and to take all necessary steps with the Board of Equalization and the Registrar of Voters to effectuate this direction.

There being no further business, the Board of Supervisors adjourned at 9:55 a.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya G. Turner
Assistant Clerk of the Board