

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA
MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 24, 2004

The Honorable Board of Supervisors of Lake County, California, met in regular session this 24th day of February, 2004, there being present Supervisors Ed Robey, Jeff Smith, Gary Lewis, Anthony Farrington and Rob Brown, Administrative Officer Kelly Cox, County Counsel Cameron Reeves, and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:01 a.m. by Chair Brown, following a moment of silence, Mr. Gene Lovi led the salute to the flag of the United States of America.

1. **ITEM A-1 - 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-22, with the exception of Consent Items C-12 and C-20, which will be taken up immediately following the approval of the Consent Agenda.

Adopted Proclamation designating the week of February 22 through 28, 2004, as National Engineers' Week in Lake County. Appointed Richard Smith and Raymond Mostin to the Big Valley Groundwater Management Zone Commission (terms established by commission).

Approved Minutes of the Board of Supervisors Meetings held on February 10 and 17, 2004.

Approved County Workplace Violence and Threat Prevention Policy.

Waive the 900 hour limit for extra-help Accounting Technician Eldra King.

Approved Memorandum of Understanding between Lake County Mental Health Services and Rural Communities Housing Development Corporation, regarding Bevins Court Independent Living Complex, and authorized the Chair to sign.

Approved Contract between the County of Lake and Redwood Children's Services, for specialty mental health services, and authorized the Chair to sign.

Adopted Resolution No. 2004-36, approving the Dedicated Bed Contract between the County of Lake and the State Department of Mental Health, for Fiscal Year 2003/2004 and authorized the Director of Health Services to sign Contract Number 03-73221-000.

Adopted Resolution No. 2004-37, authorizing application by the Lake County Probation Department and the Lake County Sheriff's Department, in partnership with Konocti Unified School District for School Community Policing Partnership Grant.

Adopted proclamation declaring the month of March as Red Cross Month in Lake County.

Approved letter of support for the Safe Routes to School Grant Program, and authorized the Chair to sign.

Approved Budget Transfer B-169, in the amount of \$2,461, to cover Road Department billing, Budget Unit No. 8463 - Twin Lakes, and authorized the Chair sign.

Approved Annual Statement of Investment Policy, delegation of Treasurer's Authority and Confirmation of Treasury Oversight Committee members.

Accepted dedication and conveyance of mainline water extension, for public utility purposes, Lookout Mountain Subdivision/Emilee Court, Phase II, Lakeport, and directed Clerk to certify for recordation.

Adopted Resolution No. 2004-39, expressing support for the Lower Lake Parade and Barbeque in the Community of Lower Lake.

Appointed Samuel G. Horsley to the Middletown Cemetery District Board of Trustees, to fill an unexpired term ending on January 1, 2005.

Sitting as the Board of Directors of Lake County Air Quality Management District, appointed Walt Wilcox to the Air Quality Management District Hearing Board, for a term expiring on February 28, 2007

Sitting as the Board of Directors of Lake County Air Quality Management District, authorized Air Pollution Control Officer Bob Reynolds to proceed with Proposition 40 Grant Award, Carl Moyer Program Grant Project, as recommended in his Memorandum to the Board of Directors dated February 11, 2004.

Sitting as the Board of Directors of Lake County Sanitation District, adopted Resolution No. 2004-40, ordering the summary vacation of a sewer easement, Streets and Highways Code Section No. 8335 (located in Highlands Harbor, City of Clearlake).

Sitting as the Board of Directors of Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, for public utility purposes, Lookout Mountain, Subdivision/Emilee Court, Phase II, Lakeport, and directed Clerk to certify for recordation.

CONSENT ITEM C-12 - PROPOSED RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO SIGN STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION GRANT ESTABLISHING FUNDING FOR THE LAKE STREET BIKEWAY PHASE II PROJECT - Supervisor Smith requested that this item be pulled from the Consent Agenda for further discussion. Supervisor Smith commended Public Works Director Gerry Shaul for his work on this project.

Supervisor Smith offered Resolution No. 2004-38, and it was passed by a roll-call vote (5 ayes).

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

CONSENT ITEM C-20 - BUDGET TRANSFER B-167, IN THE AMOUNT OF \$2,000, TO COVER THE INCREASE OF THE STATE DAM INSPECTION FEE, BUDGET UNIT NO. 8101 - FLOOD CONTROL-ZONE 1 - Supervisor Lewis asked that this item be pulled from the Consent Agenda for further discussion. Supervisor Lewis stated that due to the State's financial crisis the Dam Inspection Fee was raised by 400%.

On motion of Director Lewis and by vote of the Board (5 ayes), approved Budget Transfer B-167, in the amount of \$2,000, to cover the increase of the State Dam Inspection Fee, Budget Unit No. 8101-Flood Control-Zone-1, and authorized the Chair to sign.

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The Board of Directors of Lake County Flood Control and Water Conservation District adjourned and reconvened as the Board of Supervisors.

2. ITEM A-2 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:

EXTRA#1 - PROPOSED INDEMNIFICATION AGREEMENT (EICKHOFF ROAD), BETWEEN THE COUNTY OF LAKE AND HELEN BURZYNSKI, TO ALLOW SAID MEMBERS OF THE PUBLIC TO GAIN ACCESS TO THEIR HOMES - On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

This item was considered as an extra for the following reasons:

On February 19, 2004, it came to the attention of the Department of Public Works, that an Indemnification Agreement between Helen Burzynski and the County of Lake allowing vehicular traffic across her property in time of emergency had not been prepared and executed for this year. With weather forecasts predicting another large rain storm to hit the County this week and the ground already saturated from previous storms, it appears that in all likelihood Scotts Valley Road and Eickhoff Road will flood once again requiring emergency vehicles and those trying to gain access to their homes in the area to pass over a portion of Ms. Burzynski's property due to said County roads being impassable.

Public Works Director Gerry Shaul was present.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Indemnification Agreement (Eickhoff Road) between the County of Lake and Helen Burzynski, to allow said members of the public to gain access to their homes, and authorized the Chair to sign this agreement and all future indemnification agreements as necessary.

3. CITIZEN'S INPUT - Mr. Gordon Bell spoke on an open septic tank, an illegally built deck and trash located on property located at 11200 Wheeler Drive, Kelseyville.

4. ITEM A-4 - 9:06 A.M. - HEARING - APPEAL OF ADMINISTRATIVE PENALTIES ISSUED BY THE ANIMAL CONTROL DEPARTMENT (WILLIAM MIRANDA) - The Board received a Memorandum dated February 23, 2004, from Animal Control Director Denise Johnson, requesting that this item be continued to a later date.

ITEM A-12 - CONSIDERATION OF REQUEST TO WAIVE THE FORMAL BIDDING PROCESS FOR REASONS STATED IN THE FEBRUARY 2, 2004, MEMORANDUM FROM DEPUTY ADMINISTRATIVE OFFICER JEFF REIN AND APPROVE CONTRACT BETWEEN THE COUNTY OF LAKE AND SYSTEMS NETWORK/COPIER CONCEPTS, A PITNEY BOWES COMPANY, FOR LEASE OF PHOTOCOPY MACHINES (EXTENSION OF EXISTING CONTRACT) - Supervisor Lewis made a motion to approve Agreement between the County of Lake and Systems Network/Copier Concepts, a Pitney Bowes Company, for lease of photocopy machines (extension of existing contract), this motion was withdrawn.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), waived the formal bidding process for reasons stated in the February 2, 2004, Memorandum from Deputy Administrative Officer Jeff Rein.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Agreement between the County of Lake and Systems Network/Copier Concepts, a Pitney Bowes Company, for lease of photocopy machines (extension of existing contract), and it was passed by a roll-call vote (5 ayes).

5. ITEM A-11 - PROPOSED ORDINANCE PRESCRIBING THE SERVICE FEE SCHEDULE FOR THE MENTAL HEALTH DIVISION, DEPARTMENT OF HEALTH SERVICES - On motion of Supervisor Farrington and by vote of the Board (5 ayes), waived the reading of the ordinance and had it read in title only (Clerk so did).

On motion of Supervisor Farrington and by vote of the Board (5 ayes), advanced the ordinance two weeks to March 9, 2004.

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

6. ITEM A-14 - CONSIDERATION OF PROPOSED LETTERS OF SUPPORT TO CONGRESSIONAL DELEGATES FOR FUNDING OF THE FULL CIRCLE PROJECT - The following amendment was made to the letters of support:

Paragraph One, beginning of second sentence, added: **One of**

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved letters of support, as amended, to congressional delegates for funding of the Full Circle Project, and authorized the Chair to sign the three letters of support.

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

7. ITEM A-13 - CONSIDERATION OF AMENDMENT ONE TO AGREEMENT BETWEEN THE COUNTY OF LAKE AND DELTA GEOMATICS CORPORATION, FOR ENGINEERING SERVICES FOR TOPOGRAPHIC MAPPING OF LAMPSON SEWER EXTENSION ROUTE AND LAMPSON AIRFIELD - Public Works Director Gerry Shaul was present.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved Amendment One to Agreement between the County of Lake and Delta Geomatics Corporation, for engineering services for topographic mapping of Lampson sewer extension route and Lampson Airfield, and authorized the Chair to sign.

8. ITEM A-5 - 9:45 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF FEBRUARY 22 THROUGH 28, 2004, AS NATIONAL ENGINEERS' WEEK IN LAKE COUNTY - Supervisor Robey read the proclamation into the record. The proclamation was presented to Mr. Ken Brown. Mr. Brown introduced the following engineers: Mr. Gerry Shaul, Mr. Mike Stevenson, Mr. Bob Lossius, Mr. Scott Harter, Mr. Scott Horning, Mr. Doug Grider, Mr. Alex Straessle, Mr. Cliff Ruzicka, Mr. Adam Blain and Mr. Tom Hunt.

9. ITEM A-6 - 9:50 A.M. - PRESENTATION OF PROCLAMATION DECLARING THE MONTH OF MARCH AS RED CROSS MONTH IN LAKE COUNTY - Supervisor Lewis read the proclamation into the record. The proclamation was presented to Ms. Lori Gray.

10. ITEM A-7 - 9:55 A.M. - CONSIDERATION OF RECOMMENDATIONS FROM EMERGENCY MEDICAL CARE COMMITTEE (EMCC) ON A REVISED AMBULANCE ORDINANCE FOR LAKE COUNTY - Public Health Officer Craig McMillian was present.

Chair Brown asked if anyone present wished to speak and the following persons spoke: Mr. Gene Lovi, Mr. Curt Whrton and Mr. John Roddy. No one else was present wishing to speak and the public portion of this item was closed.

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A revised Ambulance Ordinance will be brought back to the Board at a later date for consideration.

11. **ITEM A-8 - 10:00 A.M. - CONSIDERATION OF RECOMMENDATION FOR FURTHER LEGAL SERVICES OF ANTONIO ROSSMAN FOR ASSISTANCE WITH WATER RELATED ISSUES PERTAINING TO LAKE COUNTY AND THE YOLO FLOOD CONTROL AND WATER CONSERVATION DISTRICT** - Deputy Public Works Director Bob Lossius was present.

Chair Brown asked if anyone present wished to speak and Mr. John Roddy spoke. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), directed County Counsel to contact Attorney Antonio Rossman to negotiate a potential retainer for assistance with water related issues pertaining to Lake county and the Yolo Flood Control and Water Conservation District.

ITEM A-15 - CLOSED SESSION - 1. Employee Disciplinary Appeal - Chair Brown announced that the Board will now go into Closed Session for the reason stated on the agenda.

The Board adjourned for lunch at 11:52 p.m. and reconvened into Regular Session with no action taken during Closed Session.

ITEM A-9 - 1:30 P.M. - LAKE COUNTY "WATER SUMMIT" - Public Works Director Bob Lossius and Water Resources Engineer Smythe gave a power-point presentation on flood zone districts, the Big Valley Groundwater Management Plan, the Big Valley Groundwater Investigation Update, Adobe Creek Conjointive Use Project, the proposal to modify Flood Zones 1 and 5, the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, Master Drainage Plans, National Pollution Discharge Elimination System (NPDES) Phase II-Stormwater Runoff Plan and integrated regional water management planning.

Community Development Director Mary Jane Fagalde spoke on the proposal to develop a Countywide Master Plan, the grading ordinance, the General Plan and updating the General Plan, the Area Plans and the zoning ordinance.

Special Districts Administrator Mark Dellinger spoke on existing water and wastewater systems throughout Lake County. The water systems that use water directly from Clear Lake are CSA #20 - Soda Bay Water, CSA #21 - North Lakeport Water, CSA #2 - Spring Valley Lakes. There are seven groundwater systems which are CSA #22 - Mt. Hannah, CSA #18 - Starview, CSA #7 - Bonanza Springs, CSA #16 - Paradise Valley, CSA #13 - Kono Tayee, CSA #6 - Finley, Kelseyville County Waterworks District #3. Mr. Dellinger also gave a brief overview of wastewater, which included the Full Circle Project and a reuse water system for agricultural.

Environmental Health Director Ray Ruminski gave a brief overview of regulations regarding drinking water supplies and wastewater management or sewage treatment. Drinking water laws are from the federal Safe Drinking Water Act and the state counterpart, the California Safe Drinking Water Act. Lake County has a local ordinance and detailed administrative rules for on-site wastewater. Environmental Health issues well construction permits for all water supply wells, and conducts inspections for well construction standards under authority of a local ordinance. Environmental Health implements the program for safe treatment and disposal of sewage from individual septic systems. Other programs include recreational water sampling and surveillance, illegal dumping complaint investigations and emergency response.

After a short recess, the Board reconvened at 3:02 p.m., and continued with item A-9.

Executive Director of LAFCO John Benoit gave an overview of LAFCO. LAFCO's were established in 1963 with two main purposes (1) to discourage sprawl and encourage orderly development. Also, LAFCO is to develop recommendations that will promote more efficient and higher quality service patterns, identify areas for service improvement and assess the adequacy of service provision as it relates to determination of appropriate boundaries for a service area. LAFCO is currently in the process of developing a comprehensive water service review. Among the many challenges in this effort is the ability to find credible information and water supply data to make its determinations.

Mr. Matthew Colwell, representing CDM Consulting, gave an overview of the importance of Master Water Plans and Integrated Water Resources Plans. The integrated resource planning process includes determining water supply (surface water, groundwater, reclaimed wastewater) and water use (urban, agricultural, environmental, infrastructure, description and water budget).

Chair Brown asked if anyone present wished to speak and the following persons spoke: Mr. John Greisgraber, Mr. Bob White and Sybil Francis. No one else was present wishing to speak and the public portion of this item was closed.

There was no action taken.

There being no further business, the Board adjourned at 4:20 p.m.





Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: 
Georgine Hunt
Assistant Clerk of the Board

