



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 2, 2005

The Honorable Board of Supervisors of Lake County, California, met in regular session this 2nd day of August, 2005, there being present Supervisors Jeff Smith, Anthony Farrington, Rob Brown and Ed Robey, Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:05 a.m. by Chair Robey. Following a moment of silence, Supervisor Lewis 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-7, with the exception of Consent Item C-7, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors Meeting held on July 19, 2005.

Approved Agreement between the County of Lake and the Lakeport Senior Activity Center, Inc. for Fiscal Year 2005/2006 funding, and authorized the Chair to sign.

Approved Inter-County Services Agreement between the County of Lake and the County of Santa Clara, for access to Santa Clara County's Community Treatment Facility, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Willdan, for engineering services for Hazard Elimination Safety (HES) Pavement Overlay Project STPLH-59-14 (039) Lake County, CA, and authorized the Chair to sign.

Approved Contract between the County of Lake and Sutter Lakeside Community Services, for Calworks domestic violence services, and authorized the Chair to sign.

(a) Approved Medi-Cal Certificate of Compliance with the California Department of Veterans Affairs (CDVA), for Medi-Cal Cost Avoidance Program, Fiscal Year 2005/2006, and authorized the Chair to sign; and (b) approved Subvention Certificate of Compliance with the California Department of Veterans Affairs (CDVA), Fiscal Year 2005/2006, and authorized the Chair to sign.

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

CONSENT ITEM C-7 - CONSIDERATION OF ACCEPTANCE OF DEDICATION AND CONVEYANCE OF MAINLINE SEWER EXTENSION, FOR PUBLIC UTILITY PURPOSES, COATS TRACT OF CALLAYOMI RANCHO (21269 SANTA CLARA ROAD), MIDDLETOWN, AND DIRECT CLERK TO CERTIFY FOR RECORDATION - A Memorandum dated July 28, 2005, from Special Districts Administrator Mark Dellinger, requesting that this item be pulled from today's agenda. This item will be placed on the agenda at a later date.

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

2. **CITIZEN'S INPUT** - Mr. Ray Oliva spoke of storm drainage runoff and the potential risk of pollution this runoff could have on Clear Lake.

Ms. Rachell Bell spoke on the John Jenkel court case that is being held in Lake County.

Ms. Kim Le stated that it is very rude of Supervisors Lewis and Brown to leave the Board meeting when Mr. John Jenkel speaks at Citizen's Input.

3. **ITEM A-3 - CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS:**

Change Order No. 1, Lake County Central Dispatch Communication Tower - This change order reflects the deletion of obstruction lights on the tower.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Change Order No. 1, for a decrease of \$1,851.50, Andrew Systems, Inc., Lake County Central Dispatch Communication Tower, and authorized the Chair to sign.

4. **ITEM A-4 - 9:15 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION TO CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERSHIPS PROGRAM** - Social Services Director Carol Huchingson and Housing Program Manager Steve Citron were present.

Mr. Citron gave a brief overview of the program. In 2003, members of the Clearlake Oaks community contacted Eskaton Properties Inc., a non-profit senior housing/services provider requesting their assistance with the development of affordable housing for low-income seniors in the area. In March, 2004, the Board approved an amount not to exceed \$400,000, for the purchase of land by Eskaton for this purpose. In April 2004, an appropriate site was secured at 14102 East Highway 20, Clearlake Oaks and on June 22, 2005, the Board approved a loan of \$245,000 of HOME Program Income to Eskaton for this action. On November 5, 2004, Eskaton was successful in securing HUD 202 (senior rental housing) funding in the amount

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 2, 2005

of \$1,410,800, for the construction of the thirteen affordable one-bedroom apartments for very low income seniors on this site. The award is inadequate for all of the construction, site and off-site work that must be done in this phase of the project development. Eskaton is requesting that the County apply for an additional \$692,080 of HOME funding. This request amount also includes adequate funding for project management and administration. If this application is successful, Social Services is proposing that the \$245,000 land acquisition (HOME Program Income) loan be rolled into the longer term HOME financing loan. The State will require that these rentals remain affordable for at least 55 years.

Chair Robey asked if anyone present wished to speak on this item and Mr. Ray Gee spoke. No one else was present wishing to speak and the public portion of this item was closed.

Supervisor Lewis offered Resolution No. 2005-132, and it was passed by a roll-call vote (5 ayes).

5. **ITEM A-8 - DISCUSSION/CONSIDERATION OF LETTER TO STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER QUALITY P. E. PROGRAM MANAGER TODD THOMPSON, REGARDING THE COUNTY'S CONCERNS WITH THE STATEWIDE PROGRAM ENVIRONMENTAL IMPACT REPORT REGULATIONS ADDRESSING ON-SITE WASTEWATER TREATMENT SYSTEMS (aka SEPTIC SYSTEMS)** - Administrative Analyst Jennifer Hammond and Environmental Health Director Ray Ruminski were present.

Ms. Hammond gave an overview of the regulations as follows:

1. The regulations will force existing homeowners to upgrade their septic systems. The cost to homeowners across the County could be significant and even though these upgrades are proposed to be gradual, the costs will still be large and potentially exceedingly difficult for many homeowners to comply with.
2. The regulations could also deem many of the County's existing residential lots as "not buildable" or the costs to build a new home and comply with these regulations could essentially make many lots "not buildable". This would have a negative effect on the County's local economy and County government's revenues. It will also negatively impact the County's ability to comply with State regulations which require the County to increase low and moderate income housing stock.
3. The cost to the County to implement the proposed regulations could be quite large as staffing would have to be increased to carry out all the regulation requirements. The County is very concerned that the State Water Resources Control Board has not adequately recognized the difficulty rural counties will have in performing all of the permitting and oversight requirements.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved letter to State Water Resources Control Board, Division of Water Quality P. E. Program Manager Todd Thompson, regarding the County's concerns with the Statewide Program Environmental Impact Report Regulations addressing On-Site Wastewater Treatment Systems (aka Septic Systems), and authorized the Chair to sign.

6. **ITEM A-5 - 9:45 A.M. - UPDATE ON ACTIVITIES AND ACCOMPLISHMENTS OF THE COMMUNITY RECOVERY TASK FORCE ASSIGNED TO CLEARLAKE OAKS** - Sheriff Rodney Mitchell, Chief Probation Officer Steve Buchholz, Sergeant Rob Howe, Code Compliance Manager Hank Bouillercer and Animal Control Officer Dolores Lackey were present.

Sergeant Howe gave a brief update on activities and accomplishment of the task force. There have been 151 total arrests made by the Sheriff's Department. These arrests range from minor traffic citations to serious felonies, which included violations of probation. Probation Officers performed 146 probation searches and the officers made 269 contacts with probationers. Animal Control Officers issued 34 citations, 169 notices of violations and 199 animals were seized. The seized animals were either dangerous, mistreated, a stray, hurt, etc. Code Compliance Officers tagged 181 vehicles, 140 vehicles were removed (towed or removed voluntarily), 54 homes were red tagged as dangerous buildings/do not occupy and 53 notices of nuisance violations were issued.

Chair Robey asked if anyone present wished to speak on this item and the following persons spoke: Mr. Mo Franks and Mr. Chuck Lamb. No one else was present wishing to speak and the public portion of this item was closed.

There was no action taken on this item.

The Board of Supervisors were also sitting as the Board of Directors of Lake County Sanitation District for Item A-6.

7. **ITEM A-6 - 10:15 A.M. - DISCUSSION/CONSIDERATION OF ENGAGING A CONSULTANT TO STUDY THE CONSOLIDATION OF WATER AND SEWER DISTRICTS OPERATED AND MAINTAINED BY LAKE COUNTY SPECIAL DISTRICTS** - Special Districts Administrator Mark Dellinger and Special Districts Administrative Manager Charles Berg were present.

Supervisor Farrington gave an overview of the proposal to consolidate water and sewer districts.

Chair Robey asked if anyone present wished to speak on this item and Ms. Joan Moss spoke. No one else was present wishing to speak and the public portion of this item was closed.

Staff will review the proposal to consolidate water and sewer districts, which will include such issues as the legality and feasibility of such a consolidation. Before retaining a consultant, these findings will need to be made. Staff will bring back their findings back to the Board at a later date.

After a short recess, the Board of Supervisors reconvened at 11:13 a.m.

8. **ITEM A-9 - CONSIDERATION OF COMMITTEE'S RECOMMENDATION REGARDING AWARD OF CONTRACT FOR PUBLIC DEFENDER SERVICES** - Administrative Officer Kelly Cox stated that the County received six proposals in response to the Request for Proposals. A Screening Committee, consisting of Supervisors Robey and Brown, County Counsel Cameron Reeves, Deputy Administrative Officer Jeff Rein and himself, reviewed and ranked the proposals and conducted personal interviews of the top three candidates. The Committee concluded that the County would be best served by entering into a contract with Lake Legal Defense Services, Inc., and the Committee negotiated a contract with this company, for consideration and approval by the Board.

Mr. Steve Carter, representing Lake Legal Defense Services, Inc., was also present.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 2, 2005

Chair Robey asked if anyone present wished to speak on this item and the following persons spoke: Mr. Bob Wiley, Ms. Sherri Nordall, Mr. Don Deek, Ms. Joan Moss, Mr. Richard Ciummo, Mr. Doug Rhoades, Mr. John Jensen and Ms. Donna Spellman. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Smith and Farrington NO), approved Indigent Criminal Legal Defense Services Agreement between the County of Lake and Lake Legal Defense Services, Inc., from October 1, 2005 to September 30, 2006, to provide indigent criminal legal defense services, and authorized the Chair to sign.

On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Smith and Farrington NO), authorized the Chair to sign a letter extending the termination date of the Contract between the County of Lake and Indigent Representation Administration (IRA), to the close of business on September 30, 2005.

9. **ITEM A-10 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators : A. Grant and M. Perry and (b) Employee Organizations: LCEA, LCCOA, SDA and DDAA; and 2. Conference with Legal Counsel - Anticipated Litigation - (a) Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9: One Potential Case** - Chair Robey announced that the Board will now go into Closed Session for the reasons stated on the agenda. The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 2:16 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board