



# Minutes

## County of Lake Board of Supervisors

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 28, 2005**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 28<sup>th</sup> day of June, 2005, there being present Supervisors Jeff Smith, Gary Lewis, Rob Brown and Ed Robey, Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt. Supervisor Anthony Farrington was absent all day.

The meeting was called to order at 9:06 a.m. by Chair Robey. Following a moment of silence, Supervisor Brown led the salute to the flag of the United States of America.

- ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved Consent Agenda Items C-1 through C-16, with the exception of Consent Item C-16, which will be taken up following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors Meeting held on June 14, 2005.

Approved letter of opposition to SB 1059 (which would pre-exempt local land use authority by requiring counties to amend their General Plan to comply with the California Energy Commission's designation of a Transmission Corridor Zone), and authorized the Chair to sign.

Appointed Kathleen O'Connor to Countywide Parks and Recreation Advisory Board, for a term expiring January 1, 2007.

Appointed Gina Griffin to the Lake County Child Care Planning and Development Council, for a term expiring June 28, 2008.

Approved Contract between the County of Lake and North Valley Behavioral Health, for Fiscal Year 2005-2006, for mental health services, and authorized the Chair to sign.

Approved First Amendment to the 2004-2005 Agreement between the County of Lake and Milhous Children's Services, for mental health services, and authorized the Chair to sign.

Approved Second Amendment to the Agreement between the County of Lake and Willow Glen Care Center, for mental health services, and authorized the Chair to sign.

Approved Second Amendment to the Agreement between the County of Lake and Crestwood Behavioral Health, Inc., for mental health services, and authorized the Chair to sign.

(a) Approved Agreement between the County of Lake and Jaroth, Inc (dba Pacific Telemanagement Services), to provide payphone service, and authorized the Chair to sign; and (b) Authorized Information Technology Director Martin Franusich to sign future authorizations with Pacific Telemanagement Services as required for additional payphones on County property or for minor adjustments to service.

Approved Contract between the County of Lake and Saro Fleishman, as Coordinator of the Families for Literacy Program, and authorized the Chair to sign.

Adopted Resolution No. 2005-114, amending Solid Waste Change Fund amount (increasing fund from \$300 to \$500).

Approved Amendment Two to Agreement between the County of Lake and Jones & Stokes Associates, for environmental consultant services for Clear Lake Aquatic Plant Management Plan, and authorized the Chair to sign.

Adopted Resolution No. 2005-115, to appropriate unanticipated revenue in the amount of \$34,000, Budget Unit No. 2205 - Marine Patrol, for salary and benefit expenses.

Adopted Proclamation designating the month of July as Parks and Recreation Month in Lake County.

Sitting as the Board of Directors of Lake County Sanitation District, approved Mainline Extension Agreement between the Lake County Sanitation District and Scott Brown, to extend a sewer mainline to service APN 041-273-59, and authorized the Chair to sign.

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

**CONSENT ITEM C-16 - PROPOSED RESOLUTION ACCEPTING AND CONFIRMING BALLOT TABULATION FOR THE MODIFICATION OF ZONE 1 BOUNDARIES, IMPLEMENT A NEW GROUNDWATER PROJECT, PROPOSED ASSESSMENT DISTRICT AND ASSESSMENTS FOR ZONE 1** - Director Brown requested that this item be pulled for further discussion. Director Brown stated for the record that the ballot tabulations for the establishment of a proposed Benefit Assessment District for Zone 1, have been confirmed and there was a majority protest and therefore the proposed assessments for Zone 1 shall not be established, and the Board supports the majority protest by the constituents not to establish the formation of Zone 1.

The final tabulations are as follows:

**Zone 1 Base Assessment:**

For: 3,353.24  
Against: 12,732.87

**Adobe Creek Conjunctive Use Groundwater Project:**

For: 4,151.47  
Against: 26,218.91

Director Brown offered Resolution No. 2005-116, and it was passed by a roll-call vote (4 ayes, Director Farrington ABSENT).

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

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

**Change Order No. Two - District 3 Road Maintenance Facility at 1275 West Highway 20, Upper Lake** - This change order reflects changes in the concrete footings. Change Order No. One, increased the metal building roof slope and roof overhand per County of Lake, Community Development Department review (Scenic Corridor requirement). These changes to the metal building have resulted in an additional 23 cubic yards of concrete. The contractor is requesting an increase for the materials only.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved Change Order No. Two, for an increase of \$3,245, R & C Construction, District 3 Road Maintenance Facility, and authorized the Chair to sign.

**3. CITIZEN'S INPUT** - Mr. Chris Sorenson, owner of Lucerne Bath and Brush Pet Grooming, stated that he wanted to thank Animal Care and Control staff and the Visitor's Information staff for their outstanding job performance. Also, Mr. Sorenson spoke on the benefits of having a Visitor's Information Center located along one of the main corridors coming into the County and presented the Board with two large potted plants that are to replace the ones that were vandalized at the Visitor's Center.

Supervisors Lewis and Brown were absent at 9:16 a.m., because there was not a quorum, the Board took a short recess. After a short recess the Board reconvened at 9:23 a.m., with Supervisor Brown absent.

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

**EXTRA #1 - PROPOSED RESOLUTION AMENDING RESOLUTION NO. 2005-99, DIRECTING THE DEPARTMENT OF SOCIAL SERVICES STAFF TO APPLY FOR PLANNING AND SERVICE AREA (PSA) DESIGNATION FOR OPERATION OF AN AREA AGENCY ON AGING (AAA) WITHIN THE EXCLUSIVE BOUNDARIES OF THE COUNTY OF LAKE AND PENDING DETERMINATION OF SAID APPLICATION, ACCEPT THE CALIFORNIA DEPARTMENT OF AGING'S OFFER FOR DESIGNATION OF AN AAA FOR SPA 26, TO BE ADMINISTERED UNDER A JOINT POWERS AGREEMENT (JPA) BETWEEN THE COUNTIES OF LAKE AND MENDOCINO** - On motion of Supervisor Lewis and by vote of the Board (3 ayes, Supervisors Farrington and Brown ABSENT), 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:

There is a need to take immediate action before the next available agenda and the need for action came subsequent to the posting of today's agenda. There have been new developments with respect to AAA operations for Lake and Mendocino Counties. Staff has been advised that unless the Board takes immediate action to amend the resolution, Mendocino County will either be designated as the individual administrator of the AAA for both counties, or the California Department of Aging will offer program operations to other interested agencies by issuing a Request for Proposals.

Social Services Director Carol Huchingson was present and gave a brief overview.

Supervisor Lewis offered Resolution No. 2005-112, and it was passed by a roll-call vote (3 ayes, Supervisors Farrington and Brown ABSENT).

Supervisor Brown was present at 9:33 a.m.

**5. ITEM A-4 - 9:15 A.M. - (a) UPDATE ON LAKE COUNTY COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDs) GOALS AND OBJECTIVES FOR 2005; and (b) PROPOSED RESOLUTION ADOPTING THE LAKE COUNTY COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY GOALS AND OBJECTIVES 2005** - Mr. Jeff Lucas was present and gave a brief overview. The purpose of the Comprehensive Economic Development Strategy Goals and Objectives is to provide a reference document for pursuing economic development efforts in Lake County and to integrate these efforts with employment and training activities. They also have provided a successful process and reference tool for pursuing economic development activities.

Supervisor Lewis was absent at 9:35 a.m.

The following amendment was made to the Comprehensive Economic Development Strategy Goals and Objectives:

Page 3, Paragraph 3 - Added: and a South County Airport

Supervisor Smith offered Resolution No. 2005-113, as amended, and it was passed by a roll-call vote (3 ayes, Supervisor Lewis and Farrington ABSENT).

**6. ITEM A-5 - 9:30 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF JULY AS PARKS AND RECREATION MONTH IN LAKE COUNTY** - Supervisor Brown read the proclamation into the record. The proclamation was presented to Public Services Director Kim Clymire.

**7. ITEM A-6 - 9:35 A.M. - (a) DISCUSSION REGARDING THE COUNTY'S COST TO CONDUCT THE THE PROPOSED SPECIAL STATEWIDE ELECTION TO BE HELD ON NOVEMBER 8, 2005; and (b) STATUS OF THE STATE REIMBURSEMENT OF COSTS INCURRED BY THE COUNTY, FOR THE 2003 RECALL ELECTION; and (c) COMPLIANCE BY THE COUNTY OF THE "HELP AMERICA VOTE ACT" THAT WAS ENACTED BY THE FEDERAL GOVERNMENT** - Registrar of Voters Diane Fridley was present and stated that the cost to conduct the Special Statewide Election could be as much as \$78,000, however the actual cost is unknown at this time since a scheduled General District Election on November 8, 2005. Lake County nor any County in the state has received reimbursement for the 2003 Special Recall Election. The cost to the County to conduct the recall election was \$105,718. The federal government enacted the Help America Vote Act, and the County must implement the requirement by January 1, 2006, and must be certified by the federal government. At this time, there is at least one such system going through the federal qualification process and this takes months to go through the process and then the system must also go through the state certification process. However, there are currently no voting systems certified for use in California that meet both the requirements of HAVA and the state requirement of a voter-verifiable paper audit trail. If there is not a HAVA-compliant system federally qualified and state certified in time for purchase and implementation, the County will be required to run two separate elections simultaneously on two separate systems.

Supervisor Lewis was present at 9:52 a.m. and absent at 9:57 a.m.

There was no action taken on this item.

After a short recess, the Board reconvened at 10:17 a.m.

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 28, 2005**

The following item will be discussed by Board of Supervisors and the Board of Supervisors sitting as the Board of Directors of Lake County Watershed Protection District.

8. **ITEM A-7 - Continued From June 7, 2005 - 10:00 A.M. - DISCUSSION REGARDING STATE FEE INCREASES AND REQUEST FOR BOARD'S DIRECTION REGARDING PAYMENT OF THE DEPARTMENT OF WATER RESOURCES ANNUAL SAFETY OF DAMS FEE IN THE AMOUNT OF \$10,810** - Public Works Director Gerry Shaul and Assistant Director of Public Works Bob Lossius were present.

On motion of Director Brown and by vote of the Board (4 ayes, Director Farrington ABSENT), directed staff to make the payment under protest to the Department of Water Resources, for the annual safety of dams fee, in the amount of \$10,810.

Chair Robey asked if anyone present wished to speak on this item and ms. Julie Kreis spoke. 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 (4 ayes, Supervisor Farrington ABSENT), approved a vote of no confidence in our State legislative representatives and directed letters be sent to Senator Chesbro and Assemblywoman Berg, expressing the County's disappointment with Assemblywoman Berg's support of SB 1049 and Senator Chesbro's failure to vote against SB 1048, and inform them of the vote of no confidence that was taken by the Board of Supervisors, and authorized the Chair to sign.

The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Air Quality Management District.

9. **ITEM A-9 - CONSIDERATION OF REQUEST TO APPROVE OUT-OF-STATE TRAVEL FOR AIR POLLUTION CONTROL OFFICER BOB REYNOLDS, TO CHICAGO, ILLINOIS, TO ATTEND THE EPA CLEAN AIR INNOVATIONS CONFERENCE, FROM AUGUST 24-26, 2005 (TRAVEL EXPENSES TO BE PAID FOR BY FEDERAL EPA SPONSORSHIP AND AIR POLLUTION CONTROL OFFICER BOB REYNOLDS)** - On motion of Director Brown and by vote of the Board (4 ayes, Director Farrington ABSENT), approved out-of-state travel for Air Pollution Control Officer Bob Reynolds, to Chicago, Illinois, to attend the EPA Clean Air Innovations Conference, from August 24-26, 2005 (travel expenses to be paid for by Federal EPA Sponsorship and Air Pollution Control Officer Bob Reynolds).

The Board of Directors of Lake county Air Quality Management District adjourned and reconvened as the Board of Supervisors.

10. **ITEM A-10 - Advanced From June 21, 2005 - AN ORDINANCE AMENDING ORDINANCE NO. 2225 TO INCREASE THE FEE IMPOSED UPON LOCAL AGENCIES FOR JAIL BOOKING FEES - (SECOND READING)** - Supervisor Brown offered Ordinance No. 2737, and it was passed by a roll-call vote (4 ayes, Supervisor Farrington ABSENT).

There being no further business, the Board adjourned at 10:57 a.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Georgine Hunt  
Assistant Clerk of the Board