



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD OCTOBER 18, 2005

The Honorable Board of Supervisors of Lake County, California, met in regular session this 18<sup>th</sup> day of October, 2005, there being present Supervisors Jeff Smith, Gary Lewis, 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 9:04 a.m. by Chair Robey. Following a moment of silence, Supervisor Smith led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-13, with the exception of Consent Item C-12, which will be taken up immediately following the approval of the Consent Agenda.

Approve Minutes of the Board of Supervisors Meeting Held on September 20, 2005.

Approved Amendment Number Two to the 2004-2005 Memorandum of Understanding by and between the County of Lake and the Lake County Correctional Officers' Association Unit Number 6 (continuing a temporary increase of the County's contribution for health care coverage from \$400 to \$500 per month, effective June 1, 2004 through December 31, 2004 and \$400 to \$550 per month, effective January 1, 2005 through December 31, 2005), and authorized the Chair to sign.

Approved Amendment Number Two to the 2004-2005 Memorandum of Understanding by and between the County of Lake and the Lake County Deputy District Attorneys' Association (continuing a temporary increase of the County's contribution for health care coverage from \$400 to \$500 per month, effective June 1, 2004 through December 31, 2004 and \$400 to \$550 per month, effective January 1, 2005 through December 31, 2005), and authorized the Chair to sign.

Approved Amendment Number Two to the 2004-2005 Memorandum of Understanding by and between the County of Lake and the Lake County Sheriff's Deputies Association Unit Number 16 (continuing a temporary increase of the County's contribution for health care coverage from \$400 to \$500 per month, effective June 1, 2004 through December 31, 2004 and \$400 to \$550 per month, effective January 1, 2005 through December 31, 2005), and authorized the Chair to sign.

Adopted Resolution No. 2005-182, amending Resolution No. 2004-155, establishing salaries and fringe benefits for management employees for Fiscal Year 2004-2005 (continuing a temporary increase of the County's contribution for health care coverage from \$400 to \$500 per month, effective June 1, 2004 through December 31, 2004 and \$400 to \$550 per month, effective January 1, 2005 through December 31, 2005).

Adopted Resolution No. 2005-183, amending Resolution No. 2004-156, establishing salaries and fringe benefits for employees assigned to the Confidential Unit, Section "A" for Fiscal Year 2004-2005 (continuing a temporary increase of the County's contribution for health care coverage from \$400 to \$500 per month, effective June 1, 2004 through December 31, 2004 and \$400 to \$550 per month, effective January 1, 2005 through December 31, 2005).

Adopted Resolution No. 2005-184, amending Resolution No. 2004-157, establishing salaries and fringe benefits for employees assigned to the Confidential Unit, Section "B" for Fiscal Year 2004-2005 (continuing a temporary increase of the County's contribution for health care coverage from \$400 to \$500 per month, effective June 1, 2004 through December 31, 2004 and \$400 to \$550 per month, effective January 1, 2005 through December 31, 2005).

(a) Approved termination of Lease Agreement between the County of Lake and Clear Lake Lions for Nice Clubhouse facility; and (b) authorized Public Services Director Kim Clymire to provide funding in the amount of \$291.01, to cover the club's portion of the Possessory Interest Tax that is owed to the County for use of the building.

Approved permit to conduct aeronautical activities at Lampson Airport (Tom's Aircraft), and authorized the Chair to sign.

Approved permit to conduct aeronautical activities at Lampson Airport (Air Power), and authorized the Chair to sign.

Approved Agreement between the County of Lake and Willdan, for consultation services for the review of plans for various private improvement projects, and authorized the Chair to sign.

Sitting as the Board of Directors of Lake County Watershed Protection District, approved Grant Deed and directed Clerk to certify for recordation (APN 004-021-21-00 - James Finch), and approved Purchase Agreement between the Lake County Watershed Protection District and James Finch, for Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, and authorized the Chair to sign.

**CONSENT ITEM C-12 - PROPOSED RESOLUTION APPOINTING ANITA GRANT COUNTY COUNSEL OF THE COUNTY OF LAKE** - Supervisor Brown requested that this item be pulled from the Consent Agenda in order to announce publicly, that Ms. Anita Grant was appointed County Counsel on October 11, 2005, by the Board of Supervisors. However, due to the lateness of the Board of Supervisors meeting, the announcement was not televised and the press was not present.

Supervisor Brown read the proposed resolution into the record as follows:

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Lake, State of California, that:(1) pursuant to the provisions of Sections 27640 and 27641 of the Government Code, ANITA L. GRANT is hereby appointed the County Counsel for Lake County, California, and shall perform those duties set forth by State Law. (2) This Resolution shall be effective October 11, 2005.

Supervisor Brown offered Resolution No. 2005-185, and it was passed by a roll-call vote (5 ayes).

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

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**Change Order No. 2, Central Dispatch Facility** - This change order reflects the cost of rerouting two 4-inch conduits from Voc-Ed electrical/communications room.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Change Order No. 2, for an increase of \$2,169.44, BRCO Constructors, Inc., Central Dispatch facility, and authorized the Chair to sign.

3. **CITIZEN'S INPUT** - Mr. Richard Nickel spoke on the on-going problem with motorcycles illegally riding on private property on the hills above Nice and Lucerne.
4. **ITEM A-6 - Advanced October 4, 2005 - AN ORDINANCE AMENDING CHAPTER 9 OF THE LAKE COUNTY CODE ELIMINATING FEES FOR REFUSE ENCLOSURES OR REFUSE CONTROL PLANS FOR COMMERCIAL/INDUSTRIAL USES - (SECOND READING)** - Supervisor Brown offered Ordinance No. 2754, and it was passed by a roll-call vote (5 ayes).

Sitting as the Board of Supervisors and the Board of Directors of Lake County Sanitation District.

5. **ITEM A-7 - (a) DISCUSSION OF THE FULL CIRCLE PROJECT (A LONG-TERM CLEAN WATER INITIATIVE ENCIRCLING CLEAR LAKE); and**

**Continued From September 27, 2005 - (b) CONSIDERATION OF AMENDMENT NO. 1 TO WATER SUPPLY OF AGREEMENT BETWEEN AGREEMENT BETWEEN LAKE COUNTY SANITATION DISTRICT, THE COUNTY OF LAKE AND YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE FULL CIRCLE PROJECT** - This item (a and b), were carried over to November 8, 2005, at 1:30 p.m.

The Board of Directors of Lake County Sanitation District adjourned.

6. **ITEM A-8 - RECOMMENDATION FOR AWARD OF BID NO. 06-13, FOR PAVEMENT REHABILITATION PROJECT, 2005 - SHASTA ROAD, COUNTY SERVICE AREA #2 - SPRING VALLEY LAKE SUBDIVISION** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), awarded Bid No. 06-13, for Pavement Rehabilitation Project, 2005 - Shasta Road, County Service Area #2 - Spring Valley Lake Subdivision, to Granite Construction Company, authorized the Chair to sign the Bid Award letter and Agreement between the County of Lake and Granite Construction for the Pavement Rehabilitation Project, 2005, and authorized Special Districts Administrator Mark Dellinger to sign a Notice to Proceed upon submittal of the Performance and Payment Bonds and Certificates of Insurance.
7. **ITEM A-4 - 9:15 A.M. - (a) DISCUSSION/CONSIDERATION OF AN AMENDMENT TO ORDINANCE NO. 2735 (CHARGES AND FEES FOR CSA #21 - NORTH LAKEPORT WATER; and/or (b) DISCUSSION/CONSIDERATION OF AN EXEMPTION TO CAPITAL IMPROVEMENT FEES FOR VACANT LAND OWNERS WHO ARE ASSESSED EITHER A DEPARTMENT OF WATER RESOURCES LOAN OR A BOND PAYOFF** - Special Districts Administrator Mark Dellinger, Special Districts Administrative Manager Charles Berg and Accountant Wendy Thorn were present.

This item was continued after a short recess.

After a short recess, the Board reconvened at 10:14 a.m.

- BACK TO #7 - ITEM A-4 - 9:15 A.M. - (a) DISCUSSION/CONSIDERATION OF AN AMENDMENT TO ORDINANCE NO. 2735 (CHARGES AND FEES FOR CSA #21 - NORTH LAKEPORT WATER; and/or (b) DISCUSSION/CONSIDERATION OF AN EXEMPTION TO CAPITAL IMPROVEMENT FEES FOR VACANT LAND OWNERS WHO ARE ASSESSED EITHER A DEPARTMENT OF WATER RESOURCES LOAN OR A BOND PAYOFF** - Special Districts Administrator Mark Dellinger, Special Districts Administrative Manager Charles Berg and Accountant Wendy Thorn were present.

Chair Robey asked if anyone present wished to speak and the following persons spoke: Mr. Mike Scott, Ms. Lauralee Scott and Mr. Warren Massie. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Smith and by vote of the Board (5 ayes), directed staff to amend Ordinance No. 2735, that would create an exemption for Capital Improvement Fees if vacant landowners can provide documentation that the permit/development process was started prior to the adoption of Ordinance No. 2735 on July 21, 2005, and include in the amendment the definitions and clarifications of Capital Improvements Fees and Capacity Expansion Fees.

8. **ITEM A-9 - CLOSED SESSION - 1. Conference with Labor Negotiator, (a) County Negotiators : A. Grant and M. Perry, (b) Employee Organization: LCEA, LCCOA, SDA and DDAA; and 2. Public Employee Performance Evaluation, Title: Special Districts Administrator** - 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 12:21 p.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Georgine Hunt