



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 11, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 11th day of April, 2006, there being present Supervisors Ed Robey, Jeff Smith, Gary Lewis, Rob Brown, Anthony Farrington, Administrative Officer Kelly Cox, County Counsel Anita Grant and Board Secretary Donna De Maria.

The meeting was called to order at 9:01 a.m. by Chair Farrington. Following a moment of silence, Ms. Holms led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-6.

Adopted proclamation designating the month of April 2006, as Child Abuse Prevention Month in Lake County.

Adopted Resolution No. 2006-65, expressing support of the Safe Haven for Babies Project.

Approved Lease Agreement between the County of Lake and Senior Support Services, Inc., for lease of the former Upper Lake Justice Court building, located at 9460 Mendenhall, Upper Lake, and authorized the Chair to sign.

Approved Contract 29-776-7 between the County of Lake and Contra Costa Health Plan, for advice nurse services for calendar year 2006, and authorized the Chair to sign.

Rejected all bids for Bid. No. 06-20, for construction of restroom facilities at Alpine Park, Lucerne and Kelseyville Park, Kelseyville, for the reasons stated in the memorandum from Public Works Director Gerry Shaul, dated March 28, 2006.

Sitting as the Board of Directors of the Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, for public utility purposes, Sunrise Real Estate Company, Inc., (16342, 16352 and 16345 19th Avenue, Clearlake - APNs 042-282-20, 042-282-21 and 042-283-35), and directed the Clerk to certify for recordation.

2. **ITEM A-2 - PRESENTATION OF ANIMALS THAT ARE AVAILABLE FOR ADOPTION AT THE LAKE COUNTY ANIMAL CARE AND CONTROL SHELTER** - Animal Control Officer Morgan Nelsen was present and showed two (2) dogs and 4 kittens that are available for adoption at the Lake County Animal Care and Control Center.

3. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

EXTRA #1 - CLOSED SESSION - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - SPECIAL DISTRICTS ADMINISTRATOR - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Brown NO) approved taking up this item due to the fact that the need arose after the posting of today's agenda.

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

This matter has arisen since the posting of the current agenda concerning a matter which requires Board consideration in Closed Session. Based on the facts, there is a need to take immediate action on this matter and it has come to the attention of County Counsel since today's agenda was posted.

The item will be discussed during Closed Session.

4. **CITIZEN'S INPUT** - Mr. John Roddy spoke on the financial problems that the Senior Center in Lucerne is currently experiencing.

Mr. Joan Moss stated that she has made a DVD titled "Ballad of Cameron Reeves", and it is available to anyone who is interested.

5. **ITEM A-17 - Advanced From March 28, 2006 - (a) AN ORDINANCE AMENDING CHAPTER 2 OF THE LAKE COUNTY CODE TO REVISE THE MILEAGE REIMBURSEMENT RATE FOR GRAND JURORS** - Supervisor Lewis offered Ordinance No. 2767, and it was passed by a roll-call vote (5 ayes); and

Advanced From March 28, 2006 - (b) AN ORDINANCE AMENDING CHAPTER 2 OF THE LAKE COUNTY CODE TO REVISE THE MILEAGE REIMBURSEMENT RATE FOR THE BOARD OF SUPERVISORS - Supervisor Robey offered Ordinance No. 2768, and it was passed by a roll-call vote (4 ayes, Supervisor Brown NO).

6. **ITEM-18 - AGREEMENT BETWEEN THE COUNTY OF LAKE AND THE CITY OF LAKEPORT, REGARDING THE CITY'S ACCEPTANCE AND TREATMENT OF WASTEWATER FROM LAMPSON AIRPORT** - On motion of Supervisor Brown and by vote of the Board (5 ayes) approved the Agreement between the County of Lake and the City of Lakeport, regarding the City's acceptance of wastewater from Lampson airport for treatment and disposal by the City's wastewater treatment facility and authorized the Chair to execute the agreement on behalf of the County of Lake.

7. **ITEM A-5 - 9:15 A.M. - (a) PUBLIC HEARING - PROTEST HEARING FOR THE PROPOSED ESTABLISHMENT OF CSA 23 - "ZONE F" (PINER COURT) AND IMPOSING OF ASSESSMENTS; and (b) PROPOSED RESOLUTION ACCEPTING AND CONFIRMING BALLOT TABULATION, ALL AS SET FORTH IN THE ENGINEER'S REPORT - (COUNTYWIDE COUNTY SERVICE AREA FOR ROAD IMPROVEMENT/MAINTENANCE PROGRAM)** - Public Works Director Gerry Shaul was present.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 11, 2006

Mr. Shaul stated that the ballot process for the possible establishment of CSA 23 -Zone F (Piner Court), is not determined by the number of ballots received, but is determined by the appointment of costs based upon an analysis of the special and direct benefit to be received by each parcel in the benefit zone from that particular improvement.

Chairman Farrington opened the public hearing. No one was present wishing to speak and the public hearing was closed.

CSA 23 - "Zone F" - Piner Court Base Assessment

For: \$2,015.00
Against: \$ 403.00

After confirming the ballot tabulation for "Zone F", there was not a majority protest and therefore the proposed assessment for "Zone F" shall be established.

Supervisor Brown offered Resolution No. 2006-66, (a Resolution accepting and confirming ballot tabulation for the establishment of "Zone F" (Piner Court) of County Service Area No. 23, approving formation of "Zone F" and Assessments for "Zone F" Road Maintenance), and it was passed by a roll-call vote (5 ayes).

- 8. **ITEM A-6 - 9:30 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$4,306.94, LOCATED AT 5770 ROLAND DRIVE, LUCERNE, CA (APN 033-371-23-00 - ROBERT JUSTICE)** - Assistant Community Development Director Richard Coel and Code Compliance Officer Kimberlee Heckard were present.

Ms. Heckard gave a brief background report. On June 7, 2005, the Board of Supervisors held a nuisance abatement hearing for violations on the property owned by Robert Justice and upheld the Order to Abate. The abatement was completed on January 20, 2006, and included demolition of the substandard structure, removal of all associated debris, tires, white appliances, trash, junk, scrap wood, rubbish, vehicle parts and scrap metal, and removal of all public nuisance vehicles.

Ms. Heckard also gave a power-point presentation showing the property before and after the abatement.

On motion of Supervisors Lewis and by vote of the Board (5 ayes), approved the assessment of \$4,306.94 for nuisance abatement on property located at 5770 Roland Drive, Lucerne, CA 95458 being APN 033-371-23-00 and owned by Robert Justice, and directed the Enforcement Official to prepare and have recorded in the Office of the Lake County Recorder, a Notice of Lien in the amount of \$4,306.94, pursuant to Lake County Ordinance Code, Chapter 13, Section13-10.

- 9. **ITEM A-7 - 9:35 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$5,857.97, LOCATED AT 4823 UTOPIA TRAIL, LUCERNE, CA (APN 033-371-06-00 - ROBERT JUSTICE)** - Assistant Community Development Director Richard Coel and Code Compliance Officer Kimberlee Heckard were present.

Ms. Heckard gave a brief background report. On June 7, 2005, the Board of Supervisors held a nuisance abatement hearing for violations on the property owned by Robert Justice and upheld the Order to Abate. The abatement was completed on January 20, 2006, and included demolition of the substandard structure, removal of all associated debris, tires, white appliances, trash, junk, scrap wood, rubbish, vehicle parts and scrap metal, and removal of all public nuisance vehicles.

Ms. Heckard also gave a power-point presentation showing the property before and after the abatement.

On motion of Supervisors Lewis and by vote of the Board (5 ayes), approved the assessment of \$5,857.97 for nuisance abatement on property located at 4823 Utopia Trail, Lucerne, CA 95458 being APN 033-371-06-00 and owned by Robert Justice, and directed the Enforcement Official to prepare and have recorded in the Office of the Lake County Recorder, a Notice of Lien in the amount of \$5,857.97, pursuant to Lake County Ordinance Code, Chapter 13, Section13-10.

- 10. **ITEM A-8 - 9:40 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$3,819.86, LOCATED AT 5787 ROLAND DRIVE, LUCERNE, CA (APN 034-301-15-00 - ROBERT GARZINI)** - Assistant Community Development Director Richard Coel and Code Compliance Officer Kimberlee Heckard were present.

Ms. Heckard gave a brief background report. On June 7, 2005, the Board of Supervisors held a nuisance abatement hearing for violations on the property owned by Robert Garzini and upheld the Order to Abate. The abatement was completed on January 30, 2006, and included demolition of the substandard structures and disposal of all related debris.

Ms. Heckard also gave a power-point presentation showing the property before and after the abatement.

On motion of Supervisors Lewis and by vote of the Board (5 ayes), approved the assessment of \$3,819.86 for nuisance abatement on property located at 5787 Roland Drive, Lucerne, CA 95458 being APN 034-301-15-00 and owned by Robert Garzini, and directed the Enforcement Official to prepare and have recorded in the Office of the Lake County Recorder, a Notice of Lien in the amount of \$3,819.86, pursuant to Lake County Ordinance Code, Chapter 13, Section13-10.

- 11. **ITEM A-9 - 9:45 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$9,273.71, LOCATED AT 5960 ROLAND DRIVE, LUCERNE, CA (APN 034-292-87-00 - WILLIAM and DEBORAH JARVIS)** - Assistant Community Development Director Richard Coel and Code Compliance Officer Kimberlee Heckard were present.

Ms. Heckard gave a brief background report. On May 24, 2005, the Board of Supervisors held a nuisance abatement hearing for violations on the property owned by William and Deborah Jarvis and upheld the Order to Abate. The abatement was completed on February 3, 2006, and included removing a fire damaged residence, removal of all associated burn debris, batteries, metal, old tires, junk and removal of all public nuisance vehicles.

Ms. Heckard also gave a power-point presentation showing the property before and after the abatement.

On motion of Supervisors Lewis and by vote of the Board (5 ayes), approved the assessment of \$9,273.71 for nuisance abatement on property located at 5960 Roland Drive, Lucerne, CA 95458 being APN 034-292-87-00 and owned by William and Deborah Jarvis, and directed the Enforcement Official to prepare and have recorded in the Office of the Lake County Recorder, a Notice of Lien in the amount of \$9,273.71, pursuant to Lake County Ordinance Code, Chapter 13, Section13-10.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 11, 2006

12. **ITEM A-10 - Carried over from April 4, 2006 - 10:00 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF APRIL, 2006, AS CHILD ABUSE PREVENTION MONTH IN LAKE COUNTY** - Supervisor Farrington read the proclamation into the record. The proclamation was presented to Healthy Start Program Director Joan Reynolds. McGruff, the Crime Prevention Dog, from Victim Witness made a special appearance as did numerous other people involved in prevention of child abuse.
13. **ITEM A-19- CONSIDERATION OF RECOMMENDATION TO AWARD BID NO. 06-21, TO GRANITE CONSTRUCTION COMPANY, FOR THE CONSTRUCTION OF LAKE STREET BIKEWAY FROM 550 FEET SOUTH OF TISH-A-TANG ROAD TO CACHE CREEK BRIDGE, LOWER LAKE, IN THE AMOUNT OF \$194,869** - Public Works Director Gerry Shaul was present.

On motion of Supervisor Robey and by vote of the Board (5 ayes), awarded Bid No. 06-21 to Granite Construction Company, the lowest responsive bidder, in the amount of \$194,869.00, for construction of Lake Street Bikeway from 550 feet south of Tish-A-Tang Road to Cache Creek Bridge in Lower Lake, CA, and authorized the Chair to execute the agreement and the Notice of Award.

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

14. **ITEM A-11 - 10:15 A.M. - PUBLIC HEARING - PROPOSED RESOLUTION ADOPTING THE GROUNDWATER MANAGEMENT PLAN** - Assistant Public Works Director Bob Lossuis and Water Resources Engineer Tom Smythe were present.

Mr. Smythe gave a brief background report on the Groundwater Management Plan. The objectives of this plan include the following: (1) improve the understanding of groundwater hydrology and quality in Lake County; (2) maintain sustainable, high quality water supply for agricultural, environmental and urban uses; (3) minimize the long-term drawdown of groundwater levels; (4) protect groundwater quality; (5) minimize changes to surface flows and quality that directly affect groundwater levels or quality; (6) minimize the effect of groundwater pumping on surface water flows and quality; (7) facilitate groundwater replenishment and cooperative management project; (8) prevent inelastic land surface subsidence from occurring as a result of groundwater pumping; and (9) prevent other environmental damages.

Consultants Ben Swan and John Ayres of Camp, Dresser and McKee, Inc., presented a power-point overview and discussion.

Chair Farrington opened the public hearing and the following persons spoke: Mr. Marv Butler, Mr. Ray Mostin, Ms. Joan Moss and Mr. William Barquist. No one else was present wishing to speak and the public hearing was closed.

Director Robey offered Resolution No. 2006-64, and it was passed by a roll-call vote (5 ayes).

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

15. **ITEM A-12 - 10:45 A.M. - DISCUSSION/CONSIDERATION TO PARTNER AND/OR DONATE A PORTION OF COUNTY SURPLUS PROPERTY LOCATED AT 15837 18TH AVENUE AND 7000 SOUTH CENTER DRIVE, CLEARLAKE, TO THE LAKE COUNTY COMMUNITY ACTION AGENCY, FOR THE PURPOSE OF CONSTRUCTING A MULTI-PURPOSE EMERGENCY/HOMELESS SHELTER IN PARTNERSHIP WITH LAKE COUNTY MENTAL HEALTH AND LAKE COUNTY ALCOHOL AND OTHER DRUG SERVICES (APNs 010-043-01 and 010-043-30)** - Executive Director of Lake Community Action Agency Georgina Lane and Chair of the Board of Directors of the Lake County Community Action Agency Tom Jordan were present and each gave a brief overview of the proposal and the need to construct a multi-purpose emergency/homeless shelter on a portion of donated County surplus property in the City of Clearlake.

Chair Farrington asked if anyone present wished to speak on this item and the following persons spoke: Mr. John Roddy, Mr. Lou Denny, Mr. Marty Comito, and Mr. George Sampson. No one else was present wishing to speak and the public portion of this item was closed.

Supervisors Robey and Farrington, will continue working with the Community Action Agency on this proposal and Supervisor Smith will also look into other possible locations for the multi-purpose emergency/homeless shelter. Recommendations will be brought back to the Board at a later date.

16. **ITEM A-14 - 11:40 A.M. - INTRODUCTION OF TOM CONTRERAS, NEW SUPERVISOR OF THE MENDOCINO NATIONAL FOREST** - U.S. Forest Services Public Affairs Officer Phebe Brown and U.S. Forest Services District Ranger Blaine Baker introduced Tom Contrearras, as the new Supervisor of the Mendocino National Forest.
17. **ITEM A-15 - 11:50 A.M. - PROPOSED APPOINTMENT OF NEW LAKE COUNTY POET LAUREATE** - On motion of Supervisor Smith and by vote of the Board (5 ayes), adopted the Proclamation appointing Sandra Wade as the new Lake County Poet Laureate. Chair Farrington read the proclamation into the record. The proclamation was presented to Sandra Wade, who is the new Lake County Poet Laureate.
18. **ITEM A-13 - 11:00 A.M. - PRESENTATION BY STEWARDSHIP COUNCIL STAFF REGARDING THE DEVELOPMENT OF A LAND CONSERVATION PLAN FOR 140,000+ ACRES OF PG&E'S WATERSHED LANDS LOCATED THROUGHOUT CALIFORNIA** - Stewardship Council Communications Manager Lisa Whitman was present and gave an overview of the purpose and functions of the Stewardship Council. The Stewardship Council includes a staff of eight professionals and a board of 18 members. They officially opened their offices in Foster City, California in April, 2005. The Board of Directors is composed of representatives from state and federal agencies, water districts, tribal and rural interests, forest and farm industry groups, conservation organizations, the California Public Utilities Commission, and Pacific Gas and Electric Company. The mission of the Stewardship Council is to protect and enhance watershed lands and uses, and invest in efforts to improve the lives of young Californians through connections with the outdoors. On January 31, 2006 the Stewardship Council announced the recipients of \$225,000 in grants aimed at connecting California youth with the outdoors. Sixteen organizations were awarded between \$5,000 and \$18,000 to increase access to urban parks, gardens wilderness programs, and other outdoor education opportunities. The Stewardship Council will distribute another \$2 million in grants in 2006, and will work with park and youth program providers to bring new opportunities to underserved youth. This funding is the first phase of a ten-year, \$30 million commitment that will support efforts to invest in parks and youth programs in both urban and rural areas of Northern and Central California. Midsize grants will provide organizations with the capacity to address the gaps in their organization's ability to connect underserved youth to the outdoors. Grants may be used for a variety of purposes, such as, purchasing equipment,

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 11, 2006

funding dedicated staff, or paying for park infrastructure. Over the past three months the Stewardship Council has focused its land use analysis on nine pilot study areas. Work on these pilot areas created an opportunity to test the planning process and identify key issues and concerns. Preliminary land planning concepts are being shared with local officials and interested stakeholders to obtain further input and ideas. Analysis will continue to be refined based on additional information and evaluation throughout 2006. Initial work on the pilot process is anticipated to be complete in late March. Lessons learned through the pilot study process will begin to be applied to the remaining 40 planning areas this same month.

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

There was no action was taken on this item.

19. **ITEM A-20 - CLOSED SESSION - 1. Conference with Labor Negotiator Counsel (a) County Negotiators, A. Grant and M. Perry (b) Employee Organization: DDAA, LCCOA, LCEA and SDa; and 2. Public Employee Performance Evaluations: Titles: Mental Health Director and County Counsel** - Chair Farrington announced that the Board will now go into Closed Session for the reasons stated on the agenda. Extra #1 will also be taken up at this time.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 1:38 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Donna De Maria
Board Secretary