



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD DECEMBER 19, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 19th day of December, 2006, there being present Supervisors Ed Robey, Jeff Smith, Gary Lewis, Rob Brown, Anthony Farrington, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:02 a.m. by Chair Farrington. Following a moment of silence, Animal Control Officer Morgan Nelsen 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-15.

Approved Minutes of the Board of Supervisors Meetings held on December 5 and 12, 2006.

Adopted proclamation commending Kay Lytton upon her retirement from County service.

Adopted proclamation commending Gary Luck upon his retirement from County service.

Adopted proclamation commending Glenn Walters upon his retirement from County service.

Approved Northshore Fire Protection District Conflict of Interest Code, pursuant to district's Resolution No. 2006-1-A, adopted on December 6, 2006.

Awarded Bid No. 07-21 to Ajay Construction Company and approved Agreement between the County of Lake and Ajay Construction for abatement of nuisance on property located at 11515 Lakeshore Drive, Clearlake Park, CA - (Superior Management Services - APN 037-141-17), and authorized the Chair to sign.

Awarded Bid No. 07-25 to Ajay Construction Company and approved Agreement between the County of Lake and Ajay Construction for abatement of nuisance on property located at 12703 East Highway 20, Clearlake Oaks, CA - (Haney-Mason - APN 035-231-46), and authorized the Chair to sign.

Awarded Bid No. 07-12 to Quality Janitorial Maintenance Company and approved Contracts between the County of Lake and Quality Janitorial Maintenance Company to provide janitorial services to the Health Services and Mental Health Departments, and authorized the Deputy Purchasing Agent to sign the contracts.

Adopted Resolution No. 2006-233, amending Resolution No. 2006-164, establishing position allocations for Fiscal Year 2006-2007, Budget Unit No. 4121 - Integrated Waste Management (deleting seven (7) Heavy Equipment Operator I/II allocations and adding seven (7) Solid Waste Heavy Equipment Operator allocations).

Adopted Resolution No. 2006-234, approving Final Parcel Map and the signing of the Final Parcel Map (Meek et al).

Adopted Resolution No. 2006-235, approving Final Parcel Map and the signing of the Final Parcel Map (Hagemann).

Adopted Resolution No. 2006-236, approving Final Parcel Map and the signing of the Final Parcel Map (Andre).

(a) Adopted Resolution No. 2006-237, approving Final Parcel Map and the signing of the Final Parcel Map (Smith); and (b) approved Deferred Improvement Agreement between the County of Lake and Harold A. Smith and Dorothy T. Smith, Trustees of the Smith Family Revocable Living Trust or successors in interest to construct future land development improvements, and authorized the Chair to sign.

Approved the request to hire Billy Ray Beard as an extra-help Disaster Recovery Engineer at the rate of \$55 per hour.

Adopted Resolution No. 2006-238, amending Resolution 2006-164, establishing position allocations for Fiscal Year 2006/2007, Budget Unit No. 5115 - On the Job Training (deleting one vacant Office Assistant Trainee and one vacant Facilities Maintenance Trainee positions; and adding one Engineering Tech Trainee and One Public Works Worker Trainee positions).

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

EXTRA #1 - (a) PROPOSED RESOLUTION TO APPROPRIATE UNANTICIPATED REVENUE TO THE ROAD DIVISION BUDGET IN THE AMOUNT OF \$110,000, FOR PURCHASE OF AN ASPHALT ZIPPER; and (b) CONSIDERATION OF REQUEST FOR THE BOARD TO FIND IT IS IN THE PUBLIC'S INTEREST TO WAIVE THE NORMAL BIDDING PROCESS FOR REASONS SET FORTH IN THE MEMORANDUM FROM PUBLIC WORKS DIRECTOR GERRY SHAUL, DATED DECEMBER 18, 2006, FOR PURCHASE OF AN ASPHALT ZIPPER; and (c) AUTHORIZE THE PUBLIC WORKS DIRECTOR AND THE ASSISTANT PURCHASING AGENT TO SIGN PURCHASE ORDER NOT TO EXCEED \$110,000 TO ASPHALT ZIPPER, INC. - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved taking up this item as an extra 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 December 12, 2006, the Department of Public Works received approximately \$121,000 from FEMA and State OES as reimbursement for road funds expended in the 1998 storm disaster. Upon the receipt of the unanticipated revenue, staff contacted the manufacturer of this portable FDR equipment and negotiated a purchase price that included an \$8,530 cash discount if the equipment was purchased prior to December 31, 2006. The need to take action today is that the next available agenda will be January 2, 2007, and in order to take advantage of the discount, this item needs to be approved today.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD DECEMBER 19, 2006

Supervisor Robey offered Resolution No. 2006-230, and it was passed by a roll-call vote (5 ayes).

On motion of Supervisor Brown and by vote of the Board (5 ayes), found that it is in the public's interest to waive the normal bidding process for reasons set forth in the Memorandum from Public Works Director Gerry Shaul, dated December 18, 2006, for purchase of an asphalt zipper.

On motion of Supervisor Smith and by vote of the Board (5 ayes), authorized the Public Works Director and the Assistant Purchasing Agent to sign Purchase Order not to exceed \$110,000, to Asphalt Zipper, Inc.

3. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING -INTENTION TO NAME AN EXISTING UNNAMED ROAD HONEYMOON COVE ROAD, LOCATED IN CLEARLAKE PARK (PRIVATE ROAD, LOT B)** - Chair Farrington opened the public hearing and Mr. Floyd Wagner spoke. No one was present wishing to speak and the public hearing was closed.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the request to name an existing unnamed road Honeymoon Cove Road, located in Clearlake Park (private road, lot b).

4. **ITEM A-11 - Advanced From December 5, 2006 - AN ORDINANCE PRESCRIBING THE SERVICE FEE SCHEDULE FOR THE MENTAL HEALTH DEPARTMENT - (SECOND READING)** - Supervisor Brown offered Ordinance No. 2806, and it was passed by a roll-call vote (5 ayes).

5. **ITEM A-14 - CONSIDERATION OF APPOINTMENT OF JON E. HOPKINS AS INTERIM DISTRICT ATTORNEY UNTIL HE OFFICIALLY TAKES OFFICE ON JANUARY 9, 2007 (TO FILL UNEXPIRED TERM OF DISTRICT ATTORNEY GARY LUCK)** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Jon E. Hopkins as Interim District Attorney effective December 30, 2006, and continuing until he officially takes office on January 9, 2007 (to fill the unexpired term of District Attorney Gary Luck).

6. **ITEM A-15 - CONSIDERATION OF APPOINTMENT OF SANDRA KACHAROS AS INTERIM TREASURER-TAX COLLECTOR UNTIL SHE OFFICIALLY TAKES OFFICE ON JANUARY 9, 2007 (TO FILL UNEXPIRED TERM OF TREASURER-TAX COLLECTOR KAY LYTTON)** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Sandra Kacharos as Interim Treasurer-Tax Collector effective December 20, 2006, and continuing until she officially takes office on January 9, 2007 (to fill the unexpired term of Treasurer-Tax Collector Kay Lytton).

7. **ITEM A-12 - CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND MEAD AND HUNT, INC., FOR DESIGN ENGINEERING SERVICES FOR THE LAMPSON FIELD CAPITAL IMPROVEMENT PROJECTS** - Public Works Director Gerry Shaul was present and gave a brief overview of the design engineering services for the Lampson Field Capital Improvement Projects.

Supervisor Robey made a motion to approve the Agreement between the County of Lake and Mead and Hunt, Inc., for design engineering services for the Lampson Field Capital Improvement Projects. This motion died due to a lack of a second.

Mr. Shaul suggested that the agreement be modified that would authorize the consultant to proceed with all tasks associated with the Airport Drainage Improvements Project and Airport Infrastructure Design Project. The only tasks the consultant is authorized to proceed on for the Airport Sewer Project are to: (a) meet with the County and other project stakeholders (i.e. - City of Lakeport, Special Districts, etc.), to obtain an understanding as to the project scope, schedule and major project issues; (b) provide necessary environmental coordination to facilitate ongoing CEQA review; and (c) assist the County with the preparation of FAA documentation as necessary to receive approval and allocations for the project. This will also involve, if necessary, a meeting(s) with FAA. If the consultant agrees to the modifications, this item will be brought back to the Board on January 2, 2007, for further consideration.

This item was continued to later in the day.

8. **ITEM A-6 - 9:30 A.M. - (a) PRESENTATION OF PROCLAMATION COMMENDING KAY LYTTON UPON HER RETIREMENT FROM COUNTY SERVICE;**

(b) PRESENTATION OF PROCLAMATION COMMENDING GARY LUCK UPON HIS RETIREMENT FROM COUNTY SERVICE; and

(c) PRESENTATION OF PROCLAMATION COMMENDING GLENN WALTERS UPON HIS RETIREMENT FROM COUNTY SERVICE:

Supervisor Brown read the proclamation commending Glenn Walters into the record. The proclamation and a plaque were presented to Mr. Walters.

Administrative Officer Kelly Cox read a commendation from Congressman Mike Thompson, and presented it to Mr. Walters.

Supervisor Lewis read the proclamation commending Gary Luck into the record. The proclamation and a plaque were presented to Mr. Luck.

Administrative Officer Kelly Cox read a commendation from Congressman Mike Thompson, and presented it to Mr. Luck.

Supervisor Robey read the proclamation commending Kay Lytton into the record. The proclamation and a plaque were presented to Ms. Lytton.

Administrative Officer Kelly Cox read a commendation from Congressman Mike Thompson, and presented it to Ms. Lytton.

9. **ITEM A-13 - CONSIDERATION OF PROPOSED BUDGET TRANSFER B-069, IN THE AMOUNT OF \$24,833, FOR THE PURCHASE OF A DUMP TRAILER, ATV TRAILER AND TWO (2) ATV'S, BUDGET UNIT NO. 2201 - SHERIFF/CORONER** - Sheriff Rodney Mitchell and Administrative Manager Mary Beth Strong were present.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Budget Transfer B-069, in the amount of \$24,833, for the purchase of a dump trailer, ATV trailer and two (2) ATV's, Budget Unit No. 2201 - Sheriff/Coroner, and authorized the Chair to sign.

10. **ITEM A-7 - 10:00 A.M. - PUBLIC HEARING - (a) CONSIDERATION OF PROPOSED APPLICATION FOR STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) , PLANNING AND TECHNICAL ASSISTANCE GRANT IN THE AMOUNT OF \$70,000 FOR THE FOLLOWING ACTIVITIES: (1) DOMESTIC VIOLENCE SHELTER STUDY; (2) SECTION 504 HANDICAPPED ACCESSIBILITY EVALUATION; AND (3) HISTORIC LUCERNE HOTEL MIXED-USE FEASIBILITY STUDY, INCLUDING SENIOR HOUSING AND ASSOCIATED FACILITIES; and**

(b) CONSIDERATION OF PROPOSED APPLICATION FOR PLANNING AND TECHNICAL ASSISTANCE ECONOMIC DEVELOPMENT ALLOCATION GRANT IN THE AMOUNT OF \$70,000 FOR THE FOLLOWING ACTIVITIES: (1) UPPER LAKE DOWNTOWN REVITALIZATION STRATEGIES; (2) ADAPTIVE RE-USE OF PEAR PACKING FACILITIES; (3) REDEVELOPMENT ANALYSIS OF CLARK ISLAND IN CLEARLAKE OAKS; AND (4) HISTORIC LUCERNE HOTEL MIXED-USE FEASIBILITY STUDY, INCLUDING HOTEL - Chief Deputy Administrative Officer Matt Perry and Deputy Redevelopment Director Eric Seely were present.

Mr. Perry gave an overview of the grants and each of the proposed projects the funding would be used for.

Chair Farrington opened the public hearing and the following persons spoke: Ms. Donna Christopher and Ms. Gloria Flaherty. No one was present wishing to speak and the public hearing was closed.

Supervisor Lewis offered Resolution No. 2006-231 (Resolution approving an application for funding and the execution of a grant agreement and any amendment thereto from the general allocation component of the planning and technical assistance allocation of the State CDBG Program), and it was passed by a roll-call vote (4 ayes, Supervisor Brown NO).

Supervisor Lewis offered Resolution No. 2006-232 (Resolution approving an application for funding and the execution of a grant agreement and any amendments thereto from the economic development component of the planning and technical assistance allocation of the State CDBG Program), and it was passed by a roll-call vote (5 ayes).

After a short recess, the Board reconvened at 10:55 a.m .

11. **ITEM A-8 - 10:30 A.M. - Continued From December 5, 2006 - UPDATE ON TRAFFIC MITIGATION FEE STUDY AND CONSTRUCTION, REFUSE AND RECYCLING TRUCK IMPACT FEE STUDY** - Public Works Director Gerry Shaul and APC Consultant Phil Dow were present.

Mr. Dow gave an update on the Traffic Mitigation Fee Study and Construction, Refuse and Recycling Truck Impact Fee Study, This update included problems that were discovered when preparing the studies and actions taken and actions that need to be taken to correct those problems. Mr. Dow has estimated that the Traffic Mitigation Fee Study will be completed in March and finalized in May, 2007. However, the schedule for completion of the Construction, Refuse and Recycling Truck Impact Fee Study is unknown. Mr. Dow stated that once the data has been collected, it will only take the consultant a couple of weeks to finish calculating appropriate fees and complete draft ordinances for each jurisdiction.

There was consensus of the Board that Mr. Dow continue working on both studies until they are completed.

- BACK TO #7 - ITEM A-12 - CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND MEAD AND HUNT, INC., FOR DESIGN ENGINEERING SERVICES FOR THE LAMPSON FIELD CAPITAL IMPROVEMENT PROJECTS** - Public Works Director Gerry Shaul was present.

This item will be brought back to the Board on January 2, 2007, for further consideration.

12. **ITEM A-16 - Closed Session - 1.Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry, and (b) Employee Organization: LCEA, LCCOA, SDA and DDAA; and sitting as the Board of Directors of the Lake County IHSS Public Authority: 2.Conference with Labor Negotiator, (a) Agency Negotiator: F. Buchanan, and (b) Employee Organization: United Domestic Workers of America** - Chair Farrington 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.

The Board recessed at 3:04 p.m. and reconvened at 6:00 p.m.

13. **ITEM A-9 - 6:00 P.M. - PUBLIC HEARING - CONSIDERATION OF ADOPTION OF RIVIERAS AREA PLAN (GPAP 06-02) AND THE ORDINANCE REZONING LANDS WITHIN THE AREA PLAN (RZ 06-16), AND REVIEW AND CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT (EIR 06-02) WHICH HAS BEEN CERTIFIED FOR THE DRAFT RIVIERAS AREA PLAN REZONING** - Community Development Director Rick Coel and Senior Planner Emily Minton were present.

Ms. Minton gave an overview of the draft Riveras Area Plan.

Chair Farrington opened the public hearing and the following persons spoke: Mr. Joel Witherell, Ms. Karen McDougal, Ms. Tomasine Griesgraber, Mr. John Griesgraber, Mr. Eric Lundquist, Ms. Roberta Lyons, Mr. Ed Smith, Mr. James Soper, Mr. Cliff Ruzicka, Mr. Allen Segal, Mr. Bill Gilbert, Mr. Peter Windrem, Ms. Phyllis Lambert, Ms. Sybil Francis, Mr. Gerald DeChaine, Mr. Curt Winchester, Mr. Robert Morse and Ms. Angie Segal.

The public hearing was continued to January 9, 2007, at 6:00 p.m.

There being no further business, the Board adjourned at 10:03 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board