



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 27, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 27<sup>th</sup> day of June, 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 9:06 a.m. by Chair Farrington. Following a moment of silence, Supervisor Brown 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-21, with the exception of Consent Item C-7, which will be taken up later in the day.

Adopted Proclamation Designating the Month of July 2006, as Parks and Recreation Month in Lake County.

Appointed Joel C. Witherell to the Parks and Recreation Advisory Board (District 5), for a term expiring January 1, 2006.

Approved letter to Governor Schwarzenegger, urging an increase in pay and restoration of Game Warden positions in California, and authorized the Chair to sign.

Approved Amendment No. 2 to Contract between the County of Lake and U.S. Cellular, for provision of cellular phone services, and authorized the Chair to sign.

Approved Minutes of the Board of Supervisors Meeting held on June 13, 2006.

(a) Approved the request from Konocti Harbor Resort to waive the Encroachment Permit Fee in the amount of \$160; and (b) approved Administrative Encroachment Permit for Konocti Harbor Resort for the World Wakeboard Association World Series to be held on Clear Lake, from August 16 through 20, 2006, and authorized the Chair to sign.

Adopted Resolution No. 2006-107, accepting Official Canvass of the Direct Primary Election held on June 6, 2006, and declaring certain County officials duly elected; and declaring candidates for County Central Committees elected in lieu of holding an election and the Statement of Votes Cast for the June 6, 2006 Direct Primary Election.

(a) Adopted Resolution No. 2006-110, in support of expansion of Partnership Health Plan of California into Lake County to provide Medi-Cal managed care services; and (b) approved letters to Jack Horn, CEO, PHP and Sandra Shewry, Director of State Medi-Cal Managed Care, in support of expansion of Partnership Health Plan of California into Lake County, and authorized the Chair to sign.

Authorized the Chair to sign Certification Statements for the Child Health and Disability Prevention Program (CHDP) and the California Children's Services (CCS) Program.

Approved Agreement between the County of Lake and Marta Fuller, for dental health education and prevention services, for Fiscal Year 2006/2007, and authorized the Chair to sign.

Approved First Amendment to Agreement between the County of Lake and Davis Guest Home for residential treatment services, and authorized the Chair to sign.

Found it in the public interest to waive the normal bidding process for reasons set forth in the Memorandum from Public Services Director dated June 12, 2006, and authorized the Public Services Director to enter into a sole source contract with Western Baler & Conveyor, Inc., to provide maintenance and repair services for the Am-Fab Compactor (located at the Lakeport Transfer Station), for an estimated cost of \$21,107 for parts and labor.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-038-19 - Eugene T. Boyadjieff and Beverlee Lisa Boyadjieff); and approved Purchase Agreement between the County of Lake and Eugene T. Boyadjieff and Beverlee Lisa Boyadjieff, for Merritt Road Bridge Construction Project, and authorized the Chair to sign.

Adopted Resolution No. 2006-108, to appropriate unanticipated revenue in the amount of \$27,000 (received from higher than anticipated collection of fees for subdivision inspection and plan reviews), to be used for professional and specialized services in connection with subdivision and development plan reviews and inspections - Budget Unit No. 1908 - Engineering and Inspection Division.

Adopted Resolution No. 2006-111, of intention to establish proposed Zone 3 (Monte Vista) of County Service Area No. 23, approved the engineer's report, the form of ballot and balloting process for the assessment, and setting a public hearing for protests and balloting determination, and set public hearing for August 15, 2006, at 9:15 a.m.

Awarded Bid No. 06-32 for bulk delivery of diesel and unleaded gasoline to various storage tanks, to Jim Jonas, Inc., the lowest responsive bidder, at their unit prices bid, and authorized the Purchasing Agent to sign agreement with Jim Jonas, Inc., for the supply of diesel and unleaded gasoline fuel.

Adopted Resolution No. 109, to appropriate unanticipated revenue in the amount of \$33,000 (received from revenues through user fees from various County departments), for ongoing operational activities of the Central Garage Division, and authorized the Chair to sign.

Approved Amendment Number Six to the 2004-2005 Memoranda of Understanding by and between the County of Lake and the Lake County Correctional Officers' Association (LCCOA), to continue with the temporary increase of the County's contribution for health care coverage through August 31, 2006, and authorized the Chair to sign.

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Approved Agreement between the County of Lake and the Regents of the University of California, Davis, for training services, and authorized the Chair to sign.

Approved Contract between the County of Lake and M. E. Shay & Co., for administrative subcontractor housing services related to 2005 HCD/Home Standard Agreement, and authorized the Chair to sign.

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

**EXTRA #1 - PROPOSED LETTER OF SUPPORT TO MEMBERS OF THE ASSEMBLY ENVIRONMENTAL SAFETY AND TOXICS REGARDING SB 1733 - WATER QUALITY PENALTIES AT PUBLICLY OWNED TREATMENT FACILITIES** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), 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:

Chair Farrington became aware on June 26, 2006, that the Assembly Environmental Safety and Toxics Committee will consider SB 1733 on June 27, 2006, meeting today, and if the Board approves the letter of support, it will need to be faxed immediately to the Assembly Environmental Safety and Toxics Committee.

This item will be taken up after Extra #2, for further consideration.

**EXTRA #2 - CONSIDERATION OF REQUEST FOR NECESSITY OF A CLOSED SESSION ITEM NOT ON THE POSTED AGENDA - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - PURSUANT TO SUBDIVISION (a) OF SECTION 54956.9 - NAME OF CASE: KUEHN V. LAKE COUNTY BOARD OF SUPERVISORS** - On motion of Supervisor Robey and by vote of the Board (5 ayes), 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:

This matter has arisen since the posting of today's agenda concerning existing litigation which requires Board direction in Closed Session. Based on these facts, there is a need to take immediate action on this matter.

This item will be taken up during Closed Session.

**BACK TO EXTRA #1 - PROPOSED LETTER OF SUPPORT TO MEMBERS OF THE ASSEMBLY ENVIRONMENTAL SAFETY AND TOXICS REGARDING SB 1733 - WATER QUALITY PENALTIES AT PUBLICLY OWNED TREATMENT FACILITIES** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the letter of support to members of the Assembly Environmental Safety and Toxics regarding SB 1733 - Water Quality Penalties at publicly owned treatment facilities, and authorized the Chair to sign.

**3. CITIZEN'S INPUT** - Assessor-Recorder Doug Wacker announced that the 2006-2007 Tax Roll has been completed and was delivered to the Lake County Auditor-Controller pursuant to State law.

**4. ITEM A-4 - CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS:**

**Change Order No. Two - Construction of Drainage Improvements and Paved Parking Areas at the South Shore Health Services Building in Clearlake, CA, Project No. 3084** - This change order addresses the balancing of final contract quantities to reflect in place quantities and adds 31.2 square feet of parking lot pavement marking.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Change Order No. 2, for an increase of \$2,842.75, Epidendio Construction, Inc., construction of drainage improvements and paved parking areas at the South Shore Health Services Building in Clearlake, and authorized the Chair to sign.

**5. ITEM A-12 - (a) CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND MENDO-LAKE ALTERNATIVE SERVICES, FOR THE OPERATION OF A YOUTH FOR SENIORS PROGRAM; and (b) CONSIDERATION OF PROPOSED LEASE AGREEMENT BETWEEN THE COUNTY OF LAKE AND MENDO-LAKE ALTERNATIVE SERVICES, FOR LEASE OF A VAN AND A TOOL TRAILER WITH PORTABLE RESTROOM, FOR THE OPERATION OF A YOUTH FOR SENIORS PROGRAM** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Mendo-Lake Alternative Services, for the operation of a Youth for Seniors Program, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the Lease Agreement between the County of Lake and Mendo-Lake Alternative Services, for lease of a van and tool trailer with portable restroom, for the operation of a Youth for Seniors Program, and authorized the Chair to sign.

**6. ITEM A-13 - PROPOSED ORDINANCE AMENDING CHAPTER 9 ARTICLE II OF THE ORDINANCE CODE OF THE COUNTY OF LAKE PERTAINING TO HOURS OF OPERATION AT THE EASTLAKE SANITARY LANDFILL (7:30 A.M. TO 3:00 P.M. DAILY)** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), waived the reading of the ordinance and had it read in title only (Clerk so did).

On motion of Supervisor Lewis and by vote of the Board (5 ayes), advanced the ordinance two weeks to July 11, 2006.

**7. ITEM A-5 - 9:15 A.M. - REPORT FROM SHANNON GUNIER SUMMARIZING THE MARKETING AND ECONOMIC DEVELOPMENT PROJECTS THAT HAVE BEEN COMPLETED AND THE EXPENDITURE OF FUNDS FOR THESE PROJECTS** - Mr. Rick Gunier and Ms. Shannon Gunier were present and each gave a brief overview the expenditures of County funds for the development of Marketing and economic Impact Project, which included the following:

- 1. UC Davis Enology and Wine Students (December 2005)** - This was a three-day tour starting in Big Valley winegrape growing region and ending up at Six Sigma Ranch in Lower Lake. Students were given a first hand look at Lake County's premium vineyards and vineyard practices, as well as a vertical tasting of four Sauvignon Blancs from four different Lake County regions, presented by Wildhurst winemaker Mark Burch.
- 2. Patterson Beverage Journal Tour (December 2005)** - This was a tour with wine writer Chris Sawyer which included Red Hills, Snows Lake, Big Valley, Monte Lago, Courgar's Leap, Shannon Ridge, Wildhurst and Steele Winery. The result was an article in the Patterson's Beverage Journal.
- 3. Food and Wine Coast to Coast Tour (April 2006)** - This was a tour taken with Scott Carpenter, host of Food and Wine Coast to Coast.

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4. **Writers Tour - San Francisco Chronicle/ Wine Enthusiast (May 2005)** - The Winegrape Commission organized a two-day tour for two wine writers, Kathleen Buckley and Roger Voss. This tour included a look at Lake County's premium vineyards and wine tasting.

Ms. Gunier also stated that other promotions were held in Lake County, such as the Sauvignon Blanc Tasting event and the Terroir Workshop.

There was no action taken on this item.

8. **ITEM A-6 - 9:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 7411, 7421, 7431 and 7451 POLK STREET AND 7422, 7432, 7442 and 7452 LAKE STREET, NICE, CA (APNs 030-102-25, 030-102-27, 030-102-28, 030-102-39, 030-102-10, 030-102-11, 030-102-12 and 030-102-13 - RONALD ODBERT and GLENNA ODBERT)** - The Clerk swore in Code Compliance Officer Hank Bouillercce, Code Compliance Officer Roderic Hilliard and Mr. Ronald Odbert.

Mr. Hilliard gave an overview of the conditions of the properties which included open and outdoor storage on van unimproved lot consisting of scrap wood, scrap metal, concrete debris, junk garbage, tires, building materials, public nuisance vehicles and vehicle parts.

Mr. Bouillercce gave a power-point presentation showing the conditions of the properties.

Mr. Ronald Odbert presented testimony.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on the property located at 7411, 7421, 7431 and 7451 Polk Street and 7422, 7432, 7442 and 7452 Lake Street, Nice, California, within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all costs associated with this case shall become a charge against the property.

After a short recess, the Board reconvened at 10:12 a.m.

- BACK TO #1 - CONSENT ITEM C-7 - (a) PROPOSED BUDGET TRANSFER IN THE AMOUNT OF \$23,757, FOR PURCHASE OF COMPUTER EQUIPMENT FOR THE NEW CENTRAL DISPATCH FACILITY; and (b) CONSIDERATION OF AWARD OF BID FOR PURCHASE OF COMPUTER EQUIPMENT FOR THE NEW CENTRAL DISPATCH FACILITY** - Chair Farrington stated that a constituent had requested that this item be pulled from the Consent Agenda for further explanation.

Sheriff Rodney Mitchell was present and gave a brief overview. On April 19, 2006, the Sheriff's Department order 14 computers and 21 monitors from Polestar Computers, at a cost of \$23,756.56. The department was advised that reimbursement would be made directly from the State E911 fund and Board approval was not requested. The department has been advised that the State is reviewing this request for reimbursement and payment is being withheld from the vendor.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Budget Transfer B-406, in the amount of \$23,757, for purchase of computer equipment for the new Central Dispatch facility, Budget Unit No. 2206 - Sheriff/Rural Crimes, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), awarded bid to Polestar Computers in the amount of \$23,756.56, for purchase of computer equipment for the new Central Dispatch facility and authorized payment to Polestar Computers.

9. **ITEM A-14 - (a) CONSIDERATION OF REQUEST TO WAIVE THE FORMAL BIDDING PROCESS FOR PURCHASE OF A VEHICLE, AND MAKE A DETERMINATION THAT COMPETITIVE BIDDING WOULD PRODUCE NO ECONOMIC BENEFIT TO THE COUNTY; and (b) APPROVE THE PURCHASE OF A 2007 F320 SHORT BED CREW CAB PICK-UP TRUCK FROM NORTHLAKE FORD IN THE AMOUNT OF \$25,283.24 (VEHICLE IS BEING PURCHASED FROM THE SEARCH AND RESCUE TRUST FUND #694)** - Sheriff Rodney Mitchell was present.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the request to waive the formal bidding process for purchase of a vehicle, and made a determination that competitive bidding would produce no economic benefit to the County.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the purchase of a 2007 F320 short bed crew cab pick-up truck from Northlake Ford in the amount of \$25,283.24, and authorized the Deputy Purchasing Agent to issue a purchase order.

10. **ITEM A-15 - (a) CONSIDERATION OF REQUEST TO WAIVE THE FORMAL BIDDING PROCESS FOR PURCHASE OF EIGHT (8) VEHICLES, AND MAKE A DETERMINATION THAT COMPETITIVE BIDDING WOULD PRODUCE NO ECONOMIC BENEFIT TO THE COUNTY; and (b) PROPOSED BUDGET TRANSFER IN THE AMOUNT OF \$37,528, FOR PURCHASE OF POOL VEHICLES (BUDGET UNIT NO. 9906 - SHERIFF/CORONER); and (c) APPROVE THE PURCHASE OF EIGHT (8) 2007 FORD TAURUS VEHICLES FROM NORTHLAKE FORD IN THE AMOUNT OF \$118,454** - Sheriff Rodney Mitchell was present and stated that the Department is actually requesting approval of two budget transfers, one in the amount of \$74,034 and one in the amount of \$37,528.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the request to waive the formal bidding process for purchase of eight (8) vehicles, and made a determination that competitive bidding would produce no economic benefit to the County

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Budget Transfer B-463 in the amount of \$74,034, for purchase of five pool vehicles in place of three pursuits, Budget Unit No 9910/9906 - Sheriff/Coroner, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Budget Transfer B-403 in the amount of \$37,528, for purchase of pool vehicles, Budget Unit No. 9906 - Sheriff/Coroner, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the purchase of eight (8) Ford taurus vehicles from Northlake Ford in the amount of \$118,454, and authorized the Deputy Purchasing Agent to issue a purchase order.

11. **ITEM A-16 - (a) CONSIDERATION OF REQUEST TO WAIVE THE FORMAL BIDDING PROCESS FOR PURCHASE OF A WASHING MACHINE, AND MAKE A DETERMINATION THAT COMPETITIVE BIDDING WOULD PRODUCE NO ECONOMIC BENEFIT TO THE COUNTY; (b) PROPOSED BUDGET TRANSFER IN THE AMOUNT OF \$9,975, FOR PURCHASE OF A WASHING MACHINE (BUDGET UNIT NO. 2301 - SHERIFF/JAIL); and (c) APPROVE PURCHASE OF A MAYTAG MFX100 100-POUND COMMERCIAL FRONT LOAD WASHING MACHINE FROM INNOVATIVE LAUNDRY SYSTEMS IN THE AMOUNT OF \$8,674.58** - Sheriff Rodney Mitchell was present.

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Administrative Officer Kelly Cox stated that written quotes were requested from Innovative Laundry Systems, Pearson's Appliance and Hal's Appliance, and there is no need to waive the formal bidding process for the purchase of a washing machine.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Budget Transfer B-404 in the amount of \$9,975, for purchase of a washing machine, Budget Unit No. 2301 - Sheriff/Jail, and authorized the Chair to sign.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved purchase of a Maytag MFX100 100-pound commercial front load washing machine from Innovative Laundry Systems in the amount of \$8,674.58, and authorized the Deputy Purchasing Agent to issue a purchase order.

12. **ITEM A-17 - CONSIDERATION OF APPROVAL OF A DRUG ENFORCEMENT ADMINISTRATION (DEA) MARIJUANA ERADICATION AGREEMENT BETWEEN THE COUNTY OF LAKE AND DRUG ENFORCEMENT ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF JUSTICE, FOR FISCAL YEAR 2006/2007, IN THE AMOUNT OF \$78,000** - Sheriff Rodney Mitchell was present.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Robey NO), approved the Drug Enforcement Administration (DEA) Marijuana Eradication Agreement between the County of Lake and Drug Enforcement Administration of the United States Department of Justice, for Fiscal Year 2006/2007, in the amount of \$78,000, and authorized the Chair to sign.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved letters to appropriate Federal representatives requesting initiation of Federal legislation that would remove marijuana from the Schedule 2 Classification, which lists marijuana as a narcotic, and authorized the Chair to sign.

13. **ITEM A-20 - CONSIDERATION OF REQUEST TO APPROVE STATE DOMESTIC PREPAREDNESS GRANT APPLICATION IN THE AMOUNT OF \$207,198, TO BE ALLOCATED TO BUDGET UNIT NO. 2704 - OFFICE OF EMERGENCY SERVICES, FOR ENHANCEMENT OF THE OFFICE OF EMERGENCY SERVICES CAPABILITIES TO PREVENT, RESPOND TO, RECOVER FROM TERRORIST ATTACKS, MAJOR DISASTERS AND OTHER EMERGENCIES** - Sheriff Rodney Mitchell was present.

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

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved State Domestic Preparedness Grant Application in the amount of \$207,198, to be allocated to Budget Unit No. 2704 - Office of Emergency Services, for enhancement of the Office of Emergency Services capabilities to prevent, respond to, recover from terrorist attacks, major disasters and other emergencies, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Certification Statement for the Fiscal Year 2006 Homeland Security Grant Program, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved State Domestic Preparedness Grant Application in the amount of \$207,198, to be allocated to Budget Unit No. 2704 - Office of Emergency Services, for enhancement of the Office of Emergency Services capabilities to prevent, respond to, recover from terrorist attacks, major disasters and other emergencies, and authorized the Chair to sign.

14. **ITEM A-7 - 10:30 A.M. - PROCLAMATION DESIGNATING THE MONTH OF JULY 2006, AS PARKS AND RECREATION MONTH IN LAKE COUNTY** - Supervisor Lewis read the proclamation into the record. The proclamation was presented to Public Services Director Kim Clymire.

15. **ITEM A-18 - CONSIDERATION OF REQUEST TO APPROVE AGREEMENT BETWEEN THE COUNTY OF LAKE AND CH2M HILL, FOR ENGINEERING SERVICES FOR NORTH LAKEPORT WATER SYSTEM (CSA #21), IN THE AMOUNT OF \$115,000, SODA BAY WATER SYSTEM (CSA #20), IN THE AMOUNT OF \$25,000, and BONANZA SPRINGS (CSA #7), IN THE AMOUNT OF \$82,500** - Special Districts Administrator Mark Dellinger was present and stated that the amounts listed on the agenda is incorrect and the actual amount of the agreement is \$82,500.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and CH2M Hill, for a cost of \$82,500, for engineering services for North Lakeport Water System (CSA #21), Soda Bay Water System (CSA #20), and Bonanza Springs (CSA #7), and authorized the Chair to sign.

16. **ITEM A-8 - 11:15 A.M. - DISCUSSION/CONSIDERATION OF RECOMMENDATIONS FROM NORTH CENTRAL COUNTIES CONSORTIUM WORKFORCE INVESTMENT BOARD (WIB) COMMITTEE REGARDING LAKE COUNTY ONE STOP SHOP** - Executive Director of Workforce Investment Board Stewart Knox was present and gave a brief background report. During the May 19, 2006, North Central Counties Consortium (NCCC) Workforce Investment Board (WIB) meeting, and during the review of the One Stop Shop's performance, Supervisor Lewis recommended that a subcommittee be formed to evaluate the performance of the One Stop Shop. On June 8, 2006, the subcommittee met and considered the following options: (1) Continue with the same contractor; (2) solicit a new contractor; and (3) pull the contract and have the WIB staff operate the program. The subcommittee unanimously recommended to terminate the existing contract with the Lake County Office of Education and to have the WIB staff to operate the program.

Supervisor Lewis stated that the WIB staff will operate the program until the Request for Proposals (RFP) process can be completed.

Chair Farrington asked if anyone present wished to speak on this item and the following persons spoke: Ms. Joan Moss, Ms. Colleen Henderson, Ms. Michelle Owens and Mr. David Geck. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the recommendation of the subcommittee to terminate the existing services contract between the Lake County Office of Education and North Central Counties, authorized the Workforce Investment Board staff to operate the One Stop Shop until the Request for Proposals (RFP) process can be completed.

17. **ITEM A-19 - CONSIDERATION OF RECOMMENDATION FROM FISH AND WILDLIFE ADVISORY COMMITTEE, FOR FUNDING IN THE AMOUNT OF \$1,000 FOR INVASIVE WEEDS AWARENESS WEEK ACTIVITIES AND ASSOCIATED COSTS** - Agricultural Commissioner Steve Hajik was present and gave a brief overview of the activities. A tour has been scheduled for Friday, July 21, 2006. The public will be invited to various locations to see first hand what the invasive weeds look like and to learn about their impacts to the environment. The funding is being requested to cover the cost of a tour bus and the end-of-tour lunch.

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There was consensus by the Board that the request for funding be denied.

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

18. **ITEM A-9 - 11:45 A.M. - PUBLIC HEARING - DRAFT BUDGET HEARING FOR LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT FOR REVIEW AND PUBLIC COMMENT ON THE PROPOSED 2006/2007 DISTRICT BUDGET, IN ACCORDANCE WITH CALIFORNIA PUBLIC HEALTH AND SAFETY CODE SECTION 40131** - Air Pollution Control Director Bob Reynolds was present.

Mr. Reynolds gave a brief overview of the proposed budget.

Chair Farrington opened the public hearing and Mr. Tom Slate spoke on contrails and after dissipation of the trails, a white haze remains in the sky. Mr. Slate asked the Board to prepare a letter to the appropriate federal governmental agencies, asking what these materials/chemicals contrails are comprised of. No one else was present wishing to speak and the public hearing was closed.

There was consensus by the Board that a letter be prepared by Air Pollution Control Director Bob Reynolds to be addressed to appropriate federal governmental agencies, requesting information on the composition of contrails and what causes the white haze that remains in the sky after the contrails dissipate.

There was consensus by the Board to approve the Draft Fiscal Year 2006/2007 Budget, as presented.

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

The Board recessed for lunch at 12:25 p.m. and reconvened at 1:31 p.m.

The Board of Supervisors adjourned and convened as the Board of Directors of Lake County IHSS Public Authority. Chair Farrington passed the gavel to IHSS Public Authority Chair Robey.

19. **ITEM A-10 - 1:30 P.M. - PUBLIC HEARING - CONSIDERATION AND ACTION REGARDING IMPASSE IN NEGOTIATIONS WITH THE CALIFORNIA UNITED HOMECARE WORKERS UNION, THE DESIGNATED AGENT FOR PURPOSES OF NEGOTIATIONS OF UNITED DOMESTIC WORKERS UNION (UDW)** - Social Services Director Carol Huchingson, Public Authority Coordinator Michele Dibble and Chief Negotiator for the Lake County IHSS Public Authority Fran Buchanan were present.

Ms. Elizabeth Garfield, attorney for California United Domestic Workers of America was also present.

Ms. Buchanan gave a brief summary of the chronology of Lake County Public Authority's negotiations with the United Workers of America. The Public Authority has met and conferred with the UDWA/AFSCME and/or its designating bargaining agent California United Homecare Workers (CUHW) Union over a period of 26 months. From the first meeting on November 21, 2003 through its last meeting on March 23, 2006, the parties met and conferred 21 times. The parties have reached a point in negotiations where further meeting and conferring would be futile. IHSS providers currently earn \$6.75 per hour and receive no benefits. The Public Authority has proposed an increase of \$1.00 per hour and the union would determine the allocation of the increase and could apply all or part of the increase to the provider's wages and/or health benefits.

Ms. Garfield stated that the union is asking for an hourly wage of \$9.50 for 2005-2006, and an increase of \$1.00 per hour starting January 1, 2007, and an additional \$1.00 per hour effective January 1, 2008. The union also is proposing a \$.60 per authorized hour to be paid by the Public Authority to a union trust fund for health benefits.

Chair Robey opened the public hearing and the following persons spoke: Mr. David Smith, Ms. Tina Key, Mr. Tom Gresley, Ms. Diana Wells, Ms. Sandra May, Mr. William Simpson, Ms. Juanita Polletti, Mr. Lance Williams, Mr. John Thorington, Ms. Falcia Smith, Ms. Phyllis Houston, Ms. Peggy McCuan, Ms. Debbie Riley and Mr. Clarence Belville. No one else was present wishing to speak and the public portion of this item was closed.

After a short recess, the Board reconvened at 4:17 p.m., with Director Lewis absent the remainder of the day.

After further discussion, the Board requested that negotiations continue and offered the following conditions to be considered by the union: (1) drug testing of IHSS workers; (2) backgrounds checks of IHSS workers; (3) training, which includes first aid, CPR, lifting a patient properly, the proper way to handle hazardous waste; and (3) a register be established with a list of names of all IHSS workers who have complied with these conditions. The Board stated that they would agree to a wage increase of \$2.00 per hour (of which \$.60 per hour will be paid by the Public Authority to a union trust fund for health benefits), only if the IHSS worker has complied with these conditions. If an IHSS worker does not want to comply with any or all of these conditions, their wage will remain at \$6.75 per hour.

On motion of Director Farrington and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), authorized negotiations to continue and the following conditions be considered for acceptance by the union: (1) drug testing of IHSS workers; (2) backgrounds checks of IHSS workers; (3) training, which includes first aid, CPR, lifting a patient properly, the proper way to handle hazardous waste; and (3) a register be established with a list of names of all IHSS workers who have complied with these conditions; including a wage increase of \$2.00 per hour, (of which \$.60 per hour will be paid by the Public Authority to a union trust fund for health benefits), only if the IHSS worker has complied with these conditions and if an IHSS worker does not want to comply with any or all of these conditions, their wage will remain at \$6.75 per hour.

If all parties come to an agreement, a Memorandum of Understanding will be brought back to the Board for consideration.

The Board of Directors of IHSS Public Authority adjourned and reconvened as the Board of Supervisors.

20. **ITEM A-21 - CLOSED SESSION - 1. Conference with Labor Negotiator (a) County Negotiators: A. Grant, R. Lambert and M. Perry, (b) Employee Organization: DDAA, LCCOA, LCEA and SDA; and 2. Public Employee Performance Evaluation - Title: Personnel Director** - 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.

There being no further business, the Board adjourned at 5:34 p.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