



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 6, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 6th day of June, 2006, there being present Supervisors Jeff Smith, Gary Lewis, Anthony Farrington, Rob Brown, Ed Robey, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:01 a.m. by Chair Farrington. Following a moment of silence in memory of retired Lake County Auditor-Controller Norma Barker, Administrative Officer Kelly Cox 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-16, with the exception of Consent Item C-7, which will be taken up later in the day. (Later in the day, Supervisor Brown requested that Consent Item C-8 be pulled from the Consent Agenda for further discussion, and the approval of the Consent Agenda was rescinded).

Approved Minutes of the Board of Supervisors Meetings held on May 9 and May 16, 2006.

Approved Agreement between the County of Lake and Thermasource, Inc., to close and abandon the geothermal wells at the former Geothermal Agricultural Park, and authorized the Chair to sign.

Approved Agreement between the County of Lake and the Area Agency on Aging, for Fiscal Year 2005/2006 Funding, and authorized the Chair to sign.

Authorized and directed the Clerk of the Board of Supervisors to notify Lakeport Unified and Upper Lake Union High School Districts that the Board of Supervisors will not issue Tax and Revenue Anticipation Notes (TRANS) of behalf of the districts.

Waived the 900 hour limit for extra-help Office Assistant James Emenegger.

Adopted Resolution No. 2006-99, approving the application for funds under the Help America Vote Act (HAVA) of 2002 and authorizing the Registrar of Voters to execute the Agreement with the State.

Adopted Resolution granting Industrial Disability Retirement to Matthew A. Wristen, Safety Employee (There was not a resolution number assigned, because later in the day, this item was pulled from the Consent Agenda and carried over to June 20, 2006).

Adopted Resolution No. 2006-100, temporarily authorizing a road closure, prohibiting parking and authorizing removal of vehicles and ordering the Department of Public Works to post signs (roads located in Middletown, for purposes of conducting Middletown Days Parade and Events).

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APNs 008-038-51 - Ratel Investments TNT, LLC); and approved Purchase Agreement between the County of Lake and Ratel Investments TNT, LLC, for Merritt Road Bridge Construction Project, and authorized the Chair to sign.

Approved Engineering and Inspection Agreement between County of Lake and Pamela Dukes, for review of plans and specifications for a tentative parcel map (PM 04-08), located at 10740 Pingree Road, Clearlake Oaks, and authorized the Chair to sign.

Adopted Resolution No. 2006-101, approval of Right-of-Way Certification Soda Bay Road and Seigler Canyon Road, HES Overlay Project State Agreement No. STPLH-5914 (039).

Approved Amendment Two to Agreement between the County of Lake and Pavement Engineering, Inc., for engineering services for design of pavement rehabilitation and drainage improvements for a portion of Gaddy Land near Kelseyville, and authorized the Chair to sign.

Approved the additional distribution of Excess Proceeds from Tax Sale #143, per Revenue and Taxation Code 4675.

Sitting as the Board of Directors of Lake County Air Quality Management District, approved Amendment One to GAMP Memorandum of Understanding, as recommended in the Memorandum dated May 17, 2006, from Air Pollution Control Officer Bob Reynolds.

Sitting as the Board of Directors of Lake County Sanitation District, approved Mainline Extension Agreement between the Lake County Sanitation District and John Blakeslee, to extend a sewer mainline to service APNs 014-091-17 through 014-091-22 and 014-092-02 through 014-092-12, and authorized the Chair to sign.

2. **ITEM A-2 - PRESENTATION ON ANIMALS THAT ARE AVAILABLE FOR ADOPTION AT THE LAKE COUNTY ANIMAL CARE AND CONTROL SHELTER** - Animal Control Officer Morgan Nelsen was present and showed one (1) dog that is available for adoption at the Lake County Animal Care and Control Center.

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

Change Order No. 7 - Central Dispatch Facility - Change Order No. 7 reflects the cost of deleting certain electrical acceptance testing requirements that entail retaining an independent testing firm to perform tests that have already been performed (as required by the specifications) by the electrical subcontractor.

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On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Change Order No. 7, for a decrease of \$1,575, BRCO Constructors, Inc., for Central Dispatch Facility, and authorized the Chair to sign.

BACK TO #1 - ITEM A-1 - APPROVAL OF THE CONSENT AGENDA - On motion of Supervisor Brown and by vote of the Board (5 ayes), and by vote of the Board rescinded the approval of Consent Agenda Item C-8.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-16, with the exception of Consent Item C-7 and C-8. Consent Item C-7, which will be taken up later in the day and consent tem C-8 will be taken up immediately following the approval of the Consent Agenda.

CONSENT ITEM C-8 -Carried Over From May 16, 2006 - PROPOSED RESOLUTION GRANTING INDUSTRIAL DISABILITY RETIREMENT TO MATTHEW A. WRISTEN, SAFETY EMPLOYEE - Personnel Director Glenn Walters requested that this item be carried over to June 20, 2006.

4. **ITEM A-11 - PROPOSED ORDINANCE AMENDING CHAPTER 2 OF THE LAKE COUNTY CODE CHANGING LIBRARY HOURS (EXTENDING LIBRARY HOURS AT THE UPPER LAKE LIBRARY FROM 15 HOURS TO 25 HOURS A WEEK - 10:00 A.M.- 3:00 P.M. ON WEDNESDAYS AND SATURDAYS; and AMENDING HOURS AT THE MIDDLETOWN LIBRARY ON WEDNESDAYS FROM 2:00 P.M.-7:00 P.M. TO 1:00 P.M.-6:00 P.M.)** - 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 June 20, 2006.

5. **ITEM A-12 - Advanced From May 23, 2006 - AN ORDINANCE AMENDING ARTICLE 1 OF CHAPTER 27 OF THE LAKE COUNTY CODE RELATING TO FIRE MITIGATION FEES - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2775, and it was passed by a roll-call vote (5 ayes).

6. **ITEM A-13 - Advanced From May 16, 2006 - AN ORDINANCE AMENDING ORDINANCE NO. 2591, RELATING TO THE ESTABLISHMENT OF THE LAKE COUNTY CHILDREN AND FAMILIES FIRST COMMISSION - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2776, and it was passed by a roll-call vote (5 ayes).

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

7. **ITEM A-14 - Advanced From May 16, 2006 - AN ORDINANCE IMPLEMENTING THE CLEAR LAKE INTEGRATED AQUATIC PLANT MANAGEMENT PLAN - (SECOND READING)** - Director Lewis offered Ordinance No. 2777, 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.

8. **ITEM A-16 - CONSIDERATION OF REQUEST TO WAIVE THE 900 HOUR LIMIT FOR EXTRA-HELP INVESTIGATOR DAVE BROWN AND EXTRA-HELP OFFICE ASSISTANT DARLA LEWIS** - Supervisor Lewis stated that Darla Lewis is his wife, and that he will be abstaining on this item due to a conflict of interest..

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Lewis ABSTAIN), approved the request to waive the 900 hour limit for extra-help Investigator Dave Brown and extra-help Office Assistant Darla Lewis.

9. **ITEM A-5 - 9:15 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED RESOLUTION ADDING THREE CORRECTIONAL SERGEANTS AND ONE CORRECTIONAL AIDE AS TEMPORARY ALLOCATIONS, WHICH WOULD ALLOW THE SHERIFF'S DEPARTMENT TO BACK-FILL FOR EMPLOYEES ON LONG TERM LEAVE** - Administrative Officer Kelly Cox gave a brief overview of the proposal from the Sheriff's Department to back-fill for employees on long term leave.

Supervisor Brown offered Resolution No. 2006-98, and it was passed by a roll-call vote (5 ayes).

10. **ITEM A-17 - (a) PROPOSED BUDGET TRANSFER IN THE AMOUNT OF \$6,000, FOR PURCHASE OF OFFICE EQUIPMENT, BUDGET UNIT NO. 2114 - DA GRANT, AND AUTHORIZE THE CHAIR TO SIGN; (b) CONSIDERATION OF REQUEST TO WAIVE THE NORMAL BIDDING PROCESS, FINDING THAT IT WOULD NOT SERVE THE PUBLIC'S INTEREST TO INVITE SEALED BIDS FOR PURCHASE OF A NEW FILING SYSTEM; and (c) CONSIDERATION OF REQUEST TO PURCHASE A NEW FILING SYSTEM FROM MENDO-LAKE OFFICE PRODUCTS, IN THE AMOUNT OF \$26,076** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Budget Transfer B-315, in the amount of \$6,000, for purchase of office equipment, Budget Unit No. 2114 - DA Grant, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the request to waive the normal bidding process, finding that it would not serve the public's interest to invite sealed bids for purchase of a new filing system for the District Attorneys Office.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the request to purchase a new filing system from Mendo-Lake Office Products, in the amount of \$26,076, for the District Attorneys Office.

11. **ITEM A-10 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - There was consensus by the Board to cancel the July 5, 2006, Board of Supervisors meeting.

12. **ITEM A-18 - (a) PROPOSED BUDGET TRANSFER IN THE AMOUNT OF \$10,000, FOR PURCHASE OF EQUIPMENT, BUDGET UNIT NO. 9907 - I.S.F., AND AUTHORIZE THE CHAIR TO SIGN; (b) CONSIDERATION OF REQUEST TO WAIVE THE NORMAL BIDDING PROCESS, FINDING THAT IT WOULD NOT SERVE THE PUBLIC'S INTEREST TO INVITE SEALED BIDS FOR PURCHASE OF ONE (1) USED 1999 JOHNSON SWEEPER TRUCK; and (c) CONSIDERATION OF REQUEST TO PURCHASE OF ONE (1) 1999 USED JOHNSON SWEEPER TRUCK FROM CALTRANS, IN THE AMOUNT OF \$10,000** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Budget Transfer B-320, in the amount of \$10,000, for purchase of equipment, Budget Unit No. 9907 - I.S.F., and authorized the Chair to sign.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the request to waive the normal bidding process, finding that it would not serve the public's interest to invite sealed bids for purchase of one (1) used 1999 Johnson Sweeper Truck, for I.S.F.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the request to purchase one (1) 1999 used Johnson Sweeper Truck from Caltrans, in the amount of \$10,000, for I.S.F.

13. **ITEM A-6 - 9:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 16152 FLORENCE STREET, LOWER LAKE, CA (APN 024-233-09-00 - SHARON WILLIAMS, DEANNA KESPOHL, ARTHUR GEE and CLEONE GEE)** - The Clerk swore in Interim Code Compliance Manager Tom Blavet, Code Compliance Officer Kim Heckard and Mr. Ed Freund, neighbor of the referenced property.

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Ms. Heckard gave a brief overview of the conditions of the property, which included a substandard manufactured home, enclosed porch and accessory structures, public nuisance vehicles and a travel trailer, open and outdoor storage of junk, trash, household garbage, debris, scrap wood, scrap metal, appliances and other miscellaneous items creating a public nuisance and health and safety hazards.

Mr. Blavet gave a power-point presentation showing the conditions of the property that is creating a public nuisance and health and safety hazards.

Chair Farrington asked if anyone present wished to speak and Mr. Freund presented testimony.

On motion of Supervisor Robey and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 161652 Florence Street, Lower Lake, within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property.

14. ITEM A-7 - 9:45 A.M. - PUBLIC HEARING - CONSIDERATION OF PROPOSED AGREEMENTS TO PROVIDE FUNDING TO THE SOUTH LAKE FIRE SAFE COUNCIL AND TO WESTLAKE RESOURCE CONSERVATION DISTRICT (ON BEHALF OF THE LAKE COUNTY FIRE SAFE COUNCIL) - Chief Deputy Administrative Office Matt Perry was present.

Chair Farrington opened the public hearing and the following persons spoke: Mr. Ray Mostin and Mr. Christopher Layton. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Agreement between the County of Lake and South Lake Fire Safe Council, approved Agreement between the County of Lake and Westlake Resource Conservation District, for funding, under Title III of H.R. 2389, for funding, to provide fire prevention education and planning services and authorized the Chair to sign both agreements.

15. ITEM A-19 - CLOSED SESSION - 1. Conference with Labor Negotiator, (a) County Negotiators: A. Grant and M. Perry, (b) Employee Organization: LCCOA and SDA; 2. Conference With Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9), Name of Case: County of Lake v. Material Solution, 3. Public Employee Appointment, Title: Health Services Director; and sitting as the Board of Directors of the Lake County IHSS Public Authority, 4. Conference with Labor Negotiator, (a) Agency Negotiator: F. Buchanan, (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 will go back into Closed Session later today.

16. ITEM A-8 - Advanced From May 16, 2006 - 10:15 A.M. - AN ORDINANCE ADDING CHAPTER 26A TO THE LAKE COUNTY CODE REGULATING NON-NATIVE INVASIVE AQUATIC PLANTS - (SECOND READING) - Deputy Agricultural Commissioner Chuck Morse was present.

Supervisor Robey offered Ordinance No. 2774, and it was passed by a roll-call vote (5 ayes).

17. ITEM A-9 - 10:30 A.M. - PRESENTATION OF THE NICE PARKS MASTER PLAN - Deputy Redevelopment Director Andy Peterson and Public Services Director Kim Clymire were present and gave an overview and a power-point presentation of the Nice Parks Master Plan. This plan includes the following goals; (1) establishment of a town center; (2) improve and expand public access to Clear Lake; (3) improve pedestrian and vehicular circulation; (4) replanning, redesign, and development of areas which are stagnant or improperly utilized; (5) strengthen retail and other commercial functions; (6) provision of adequate land for parks and open spaces; (7) design with Mediterranean inspired there; (8) assure high site design standards and environmental quality; (9) create a formally designed town square at Hinman Park site; (10) create one-way streets and adding parking around new Hinman Square; (11) install traffic control and pedestrian crossing at Sayre and Highway 20, (12) install street trees and 6' sidewalks along both sides of Highway 20 and medians; (13) install several special pedestrian crossings and landscape bulb-outs; (14) install bike lanes along Highway 20 from Sayre to Lakeshore; (16) install streetlights throughout the town; and (17) create entry statements on each end of town.

There was no action taken on this item.

18. ITEM A-15 - CONSIDERATION OF REQUEST TO WAIVE THE 900 HOUR LIMIT FOR EXTRA-HELP FACILITIES MAINTENANCE WORKER VLADIMIR QUIRJANO - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the request to waive the 900 hour limit, up to 999 hours, for extra-help Facilities Maintenance Worker Vladimir Quirjano.

BACK TO #1 - CONSENT ITEM C-7 - PROPOSED FIRST AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF LAKE AND REDWOOD CHILDREN'S SERVICES, FOR SPECIALTY MENTAL HEALTH SERVICES - Chair Farrington requested that this item be pulled for further discussion.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the First Amendment to Agreement between the County of Lake and Redwood Children's Services, for specialty mental health services, and authorized the Chair to sign.

BACK TO #15 - ITEM A-19 - CLOSED SESSION - 1. Conference with Labor Negotiator, (a) County Negotiators: A. Grant and M. Perry, (b) Employee Organization: LCCOA and SDA; 2. Conference With Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9), Name of Case: County of Lake v. Material Solution, 3. Public Employee Appointment, Title: Health Services Director; and sitting as the Board of Directors of the Lake County IHSS Public Authority, 4. Conference with Labor Negotiator, (a) Agency Negotiator: F. Buchanan, (b) Employee Organization: United Domestic Workers of America - Chair Farrington announced that the Board will now go back into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with the following action taken: On motion of Supervisor Smith and by vote of the Board (5 ayes), appointed Jim Brown as permanent Health Services Director/Veterans Service Officer (noting that the appointment was made at the 2nd step of the salary range with eligibility for advancement to the third step upon the one year anniversary of Mr. Brown's original appointment as the Interim Health Services Director/Veterans Service Officer).

There being no further business, the Board adjourned at 12:25 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