



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MARCH 7, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 7<sup>th</sup> day of March, 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 9:02 a.m. by Chair Farrington. Following a moment of silence, Board Secretary Donna De Maria 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, with the exception of Consent Item C-11, which will be taken up later in the day.

Approved agreement between the County of Lake and Anderson Springs Homeowners Association, for repair to community swimming pool, and authorized the Chair to sign.

(a) Authorized the Registrar of Voters to render all services necessary to conduct the City of Clearlake's Special Elections:  
(1) Propositions to Make the Elected Offices of the City Clerk and City Treasurer Appointed Offices, pursuant to the City's Resolution No. 06-2006; and  
(2) A measure to impose a transactions and use tax to be used for street and road maintenance, pursuant to the City's Resolution No. 07-2006 and the consolidation of the City's propositions and ballot measure with the statewide direct primary election to be held on June 6, 2006.

Waived the 900 hour limit for extra-help Librarian Jennifer Johns.

Adopted Resolution No. 2006-46, to appropriate over-realized and unanticipated revenue (received from donations, Library Improvement Trust Fund 125.00, in the amount of \$10,000), for the purchase of library materials, Budget Unit No. 6022 - Library.

Approved Engineering and Inspection Agreement between the County of Lake and Greg Andre, for a review of plans and specifications for a Tentative Parcel Map, located at 8250 Peninsula Drive, Kelseyville, and authorized the Chair to sign.

Approved Engineering and Inspection Agreement between the County of Lake and James Morrow, for a review of plans and specifications for a Tentative Parcel Map, located at 21229 Santa Clara Road, Middletown, and authorized the Chair to sign.

Approved Engineering and Inspection Agreement between the County of Lake and Dominic Affinito, for review of plans and specifications for a Tentative Parcel Map, located at 6925 and 6965 Hammond Avenue, Nice, and authorized the Chair to sign.

Adopted Resolution No. 2006-47, of intention to establish proposed Zone G (Vista Mountain Estates) 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 on April 25, 2006, at 9:15 A.m.

Adopted Resolution No. 2006-48, adopting the National Incident Management System (NIMS ).

Awarded Bid No. 06-07, to Fisher Wireless Services, Inc., for the purchase of base station radios and equipment for the new central dispatch center, in the amount of \$74,121, and authorized the Chair to sign.

Approved Mainline Extension Agreement between County of Lake (County Service Area #18 - Starview), and Barry Flicker, to extend a water mainline to service APN #050-912-06, and authorized the Chair to sign.

Approved Professional Services Agreement between the County of Lake and Bid4assets, Inc., for professional services to conduct the sales of the County's tax defaulted property sales via the internet, and authorized the Chair to sign.

Approved Minutes of the Board of Supervisors Meetings held February 7 and 14, 2006.

Sitting as the Board of Directors of Lake County Air Quality Management District, approved appointment of Mr. Roger Bakke to the Lake County Air Quality Management District Hearing Board, as the Engineering/Science Professional representative, for a term expiring March 7, 2009.

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 two (2) dogs that are available for adoption at the Lake County Animal Care and Control Center.

3. **CONSENT AGENDA ITEM C-11 - PROPOSED CONTRACT BETWEEN COUNTY OF LAKE AND MATTMAN COMPANY, FOR THE PURCHASE OF TACTICAL SWAT VEHICLE (VEHICLE IS BEING PURCHASED WITH HOMELAND SECURITY GRANT FUNDS IN THE AMOUNT OF \$130,658.32), BUDGET UNIT 2704 - OFFICE OF EMERGENCY SERVICES** - Supervisor Farrington requested that this item be pulled from the Consent Agenda for further discussion.

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

On motion of Supervisor Brown and by vote of the Board ( 5 ayes), approved sending a letter to Congressman Thompson regarding the need to have greater local flexibility on use of Federal Homeland Security funding.

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On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Mattmann Company for the purchase of a tactical swat vehicle, and authorized the Chair to sign.

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

**EXTRA #1 - CONSIDERATION OF REQUEST FOR NECESSITY OF A CLOSED SESSION ITEM NOT ON THE POSTED AGENDA - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO SUBDIVISION (b) OF SECTION 54956.9 - NUMBER OF POTENTIAL CASES: ONE CASE -**

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.

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

A matter has arise since the posting of the current agenda concerning anticipated litigation which requires Board direction in Closed Session. There is a need to take immediate action on this matter.

This item will be discussed during Closed Session.

**5. CITIZENS INPUT - Ms. Carol Schepper spoke on Lake County Foundation.**

Mr. Phil Murphy spoke on the misuse of County property by County employees.

**6. ITEM A-5 - 9:15 A.M. - 1. (a) PUBLIC HEARING - PROTEST HEARING FOR THE PROPOSED ESTABLISHMENT OF CSA #23 - "ZONE D" (SHADOW HILLS) AND IMPOSING OF ASSESSMENTS; (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.**

Mr. Shaul stated that the ballot process for the possible establishment of CSA 23 - "Zone D" (Shadow Hills), 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 the particular improvement.

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

CSA 23 - "Zone D" - Shadow Hills Assessment

For:	\$767.00
Against:	-0-

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

Supervisor Robey offered Resolution No. 2006-44, (a Resolution accepting and confirming ballot tabulation for the establishment of "Zone D" (Shadow Hills) of County Service Area No. 23, approving formation of "Zone D" and Assessments for "Zone D" Road Maintenance), and it was passed by a roll-call vote (5 ayes).

**2. PROPOSED RESOLUTION APPROVING THE FINAL SUBDIVISION MAP FOR SHADOW HILLS SUBDIVISION - Rick Coel, Assistant Community Development Director and Catherine Young, Associate Planner were present.**

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

Supervisor Robey offered Resolution No. 2006-45, and it was passed by a roll-call vote (5 ayes)

**7. ITEM A-11- PROPOSED ORDINANCE AMENDING CHAPTER 15 OF THE LAKE COUNTY CODE PROVIDING FOR THE WALKING OF LICENSED AND LEASHED DOGS ON INTERIOR PARK ROADS AND THE PAVED PARKING LOT AT LAKESIDE COUNTY PARK - Public Services Director Kim Clymire was present.**

On motion of Supervisor Farrington 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 Farrington and by vote of the Board (5 ayes), advanced the ordinance two weeks to March 21, 2006.

The Board of Supervisors adjourned and convened as the Lake County Board of Housing Commissioners with Commissioner Monica Morin sitting with the Board.

**8. ITEM A-6 - 9:30 A.M. - PUBLIC HEARING ON PROPOSED LAKE COUNTY HOUSING AUTHORITY STREAMLINED ANNUAL PLAN FOR FISCAL YEAR 2007 - Social Services Director Carol Huchingson and Section 8 Program Manager Steve Citron were present.**

Mr. Citron gave a brief overview of the Streamlined Annual Plan for Fiscal Year 2007, and indicated that there would be no changes for the coming fiscal year.

The final plans will be brought back to the Board on April 4, 2006, for approval.

The Lake County Board of Housing Commissioners adjourned and reconvened as the Board of Supervisors.

**9. ITEM A-7 - 9:45 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED RESOLUTION SUPPORTING THE PASSAGE OF LEGISLATION TO ALLOW COUNTIES TO CONDUCT THE JUNE 6, 2006, PRIMARY ELECTION BY MAIL AND AUTHORIZING THE LAKE COUNTY REGISTRAR OF VOTERS TO CONDUCT THE JUNE 6, 2006, PRIMARY ELECTION ENTIRELY BY MAIL IF SUCH LEGISLATION IS ENACTED - Registrar of Voters Diane Fridley was present.**

Ms. Fridley presented an overview of the pros and cons related to conducting an election entirely by mail.

There was a consensus of the Board members that Lake County should conduct the June 6, 2006 primary election by using its standard procedure.

After a short recess, the Board reconvened at 10:00 a.m.

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10. **ITEM A-8 - 10:00 A.M. - CLOSED SESSION - PUBLIC EMPLOYEE APPOINTMENT (INTERVIEWS OF APPLICANTS FOR HEALTH SERVICES 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. The Board will go back into closed session later in the day.

The Board of Supervisors adjourned for lunch at 12:00 p.m. and reconvened into Regular Session at 1:30 p.m.

11. **ITEM A-9 - 1:30 P.M. - JOINT MEETING WITH THE LAKE COUNTY PLANNING COMMISSION REGARDING THE STATUS OF THE GENERAL PLAN UPDATE AND OTHER RELATED PLANNING ISSUES** - Planning Commissioners present were: Marvin Butler, Cliff Swetnam, Gil Schoux and Frieda Camotta. Community Development Director Mary Jane Fagalde and Assistant Director Richard Coel were also present.

Assistant Director Richard Coel gave a brief overview after which he introduced Consultant Rick Rust of Matrix Design Group and Larry Mintier of Mintier & Associates.

Mr. Rust and Mr. Mintier presented a power point presentation of the second draft of the Goals and Policies Report of the General Plan Update.

At 3:14 p.m. the Board took a short recess, and the Board reconvened at 3:23 p.m.

At the conclusion of the presentation, the Board of Supervisors and the Planning Commission engaged in comments and questions of Mr. Rust and Mr. Mintier.

There was no action taken at the conclusion of the discussion.

12. **ITEM A-12 - CLOSED SESSION - 1. Conference with Labor Negotiator (a) County Negotiators : A. Grant and M. Perry (b) Employee Organization: DDAA, LCCOA, LCEA and SDA; 2. Public Employee Disciplinary Appeal** - Chair Farrington announced that the Board will now go back into Closed Session for the reasons stated on the agenda. Extra #1 will also be taken up during Closed Session

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 4:10 p.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Donna De Maria  
Board Secretary