



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MAY 9, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 9<sup>th</sup> day of May, 2006, there being present Supervisors Jeff Smith, Gary Lewis, Anthony Farrington, Rob Brown and Ed Robey, 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, Ms. Anita Grant 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-7, which will be taken up later in the day.

Adopted Proclamation commending and honoring James Austin and Anne Garner Austin for their contributions to Lake County.

Adopted Proclamation commending James (Jim) Crowley as Volunteer of the Year in Lake County for the Caltrans Adopt-a-Highway Program.

Adopted Proclamation designating the month of May 2006, as Older Californians Month in Lake County.

Adopted Proclamation designating the week of May 14 through 20, 2006, as Emergency Medical Services Week in Lake County.

Adopted Resolution No. 2006-83 approving Agreement No. 06-0020 with the State of California, Department of Food and Agriculture and authorizing execution and signature of advertising and labeling of petroleum and automotive products as well as inspection of public weighmasters.

Approved Agreement between the County of Lake and the Mendocino County Sealer of Weights and Measures, for the use of Lake County vehicle (Weights and Measures Truck - Rag 31), and authorized the Chair to sign.

Authorized the Registrar of Voters to render all services necessary to conduct Butler-Keys Community Services District's Special Election (for the purpose of imposing a special tax within the Butler-Keys Community Services District for maintenance of the streets within the District, pursuant to the District's Resolution No. 2006-01).

Adopted Resolution No. 2006-84 to appropriate over-realized and unanticipated revenue (received from donations, Library Improvement Trust Fund 674, in the amount \$2,250), for the purpose of purchasing library materials, Budget Unit No. 6022 - Library.

Approved Agreement between the County of Lake and Netsmart, for consulting and software design, development and implementation services of the Netsmart/mis database (Project Boost), and authorized the Chair to sign.

(a) Determined that it is in the public's interest to waive normal Request for Proposals (RFP) requirements for operation of a personal watercraft rental and refreshments mobile concession at Lakeside County Park, for the reasons specified in the memorandum dated April 26, 2006, from Public Services Director Kim Clymire; and (b) approved Agreement between the County of Lake and Regatta Watercraft Rental, for operation of mobile concession at Lakeside County Park, and authorized the Chair to sign.

Approved Amendment One to Agreement between the County of Lake and Northwest Biosurvey, for environmental services for Lampson Airport Sewer Extension Project, and authorized the Chair to sign.

Approved Financial Aid Agreement Between the County of Lake and the Department of Boating and Waterways Boating Safety and Enforcement Financial Aid Program, for subvention funding of the Marine Patrol Division, for fiscal year 2006/2007, and authorized Sheriff Rodney Mitchell to sign.

Approved Grant Deed and directed Clerk to certify for recordation (APN 024-021-21 - Donald M. Davidson and Michele L. Davidson) and approved Purchase Agreement between the County of Lake and Donald M. Davidson and Michele L. Davidson, for Merritt Road Bridge Construction Project, and authorized the Chair to sign.

Sitting as the Board of Directors of Lake County Sanitation District approved Mainline Extension Agreement between the Lake County Sanitation District and Jada Scruggs, to extend a sewer main to service APNs 042-283-24, 042-283-33 and 042-283-34, 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, one (1) puppy, one (1) cat and two (2) kittens that are available for adoption at the Lake County Animal Care and Control Center.
3. **CITIZEN'S INPUT** - Two people wished to speak concerning rent stabilization. They were Delores Folks and Stephanie Freeman.
4. **ITEM A-5 - 9:15 A.M. - PRESENTATION OF PROCLAMATION COMMENDING AND HONORING JAMES AUSTIN AND ANNE GARNER AUSTIN FOR THEIR CONTRIBUTIONS TO LAKE COUNTY** - Supervisors Farrington read the proclamation into the record. The proclamation was presented to Ms. Anne Garner Austin and Mr. James Austin.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MAY 9, 2006

5. **CONSENT AGENDA ITEM C-7 -PROPOSED RESOLUTION APPROVING A COOPERATIVE AGREEMENT WITH THE U.S. DEPARTMENT OF AGRICULTURE TO PROVIDE WILDLIFE SERVICES TO PROVIDE ANIMAL DAMAGE CONTROL FOR THE COUNTY OF LAKE** - 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 and Phil Murphy spoke. No one else was present wishing to speak and the public portion of this item was closed. This item was continued to May 23, 2006, at 10:15 a.m. for further discussion.

The Board of Supervisors adjourned and convened as the Lake County Board of Equalization.

The gavel was passed to Lake County Board of Equalization Chair Lewis.

//

6. **ITEM A-6 - 9:30 A.M. - (a) ASSESSMENT APPEAL HEARINGS:** - Assessor/Recorder Doug Wacker and Jim Campbell were present.

**(1) K-MART (AGENT BURR WOLFF): APPLICATION NOS. 2005-85 and 2005-86 - ASSESSMENT NO. 800-000-513-000 and 800-001-320-000** - At the request of the agent, these assessment appeal hearings were continued to July 11, 2006 at 11:30 a.m. and the Clerk will notify the Applicant of the new date and time.

**(2) JAMES AND BARBARA BREWER - APPLICATION NO. 2004-06 - ASSESSMENT NO. 012-063-030** - Assistant Clerk of the Board was unaware of Applicants' new address. The assessment appeal hearing has been continued to July 11, 2006 at 11:30 a.m. and the Clerk will notify the Applicants of the new date and time.

**(3) WILLIAM CHAMBERS - APPLICATION NO. 2005-73 - ASSESSMENT NO. 050-510-08** -The applicant has withdrawn his Change of Assessment Application.

**(4) RJ DEVELOPMENT(AGENT JEANNIE WATSON): APPLICATION NOS. 2005-12, 2005-13, 2005-14, 2005-15, 2005-16, 2005-17, 2005-18, 2005-19 AND 2005-20 - ASSESSMENT NOS. 030-023-050, 030-023-140, 030-023-260, 030-026-180, 030-033-020, 030-072-760, 030-072-850, 030-083-410 AND 030-085-040** - The applicant has withdrawn their Change of Assessment Applications.

The Board of Equalization adjourned and reconvened as the Board of Supervisors.

7. **ITEM A-17 - Advanced From April 25, 2006 - AN ORDINANCE GOVERNING ALCOHOL USE IN THE COUNTY PARKS - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2771, and it was passed by a roll-call vote (4 ayes, Supervisor Robey NO).

8. **ITEM A-18 - Advanced From April 25, 2006 - AN ORDINANCE AMENDING SECTION 19-36.1 OF THE ORDINANCE CODE OF THE COUNTY OF LAKE BY ADDING THERETO A SUBSECTION PROVIDING FOR A HANDICAPPED PARKING SPACE ON ARMSTRONG STREET, MIDDLETOWN - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2770, and it was passed by a roll-call vote (5 ayes).

9. **ITEM A-16 - PROPOSED ORDINANCE AMENDING CHAPTER 2 OF THE LAKE COUNTY CODE PERTAINING TO THE DELEGATION OF AUTHORITY OF THE COUNTY PURCHASING AGENT** - 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 May 23, 2006.

10. **ITEM A-7 - 9:50 A.M. - (a) PRESENTATION OF PROCLAMATION COMMENDING JAMES (JIM) CROWLEY AS VOLUNTEER OF THE YEAR IN LAKE COUNTY FOR THE CALTRANS ADOPT-A-HIGHWAY PROGRAM; and (b) PRESENTATION OF VOLUNTEER AWARDS BY CALTRANS DISTRICT DIRECTOR NITA BRAKE-MILLS** - Nita Brake-Mills District 1 Adopt-A-Highway Coordinator of Caltrans, Charles Fielder, District 1 Director of Caltrans and James Crowley were present. Supervisor Lewis read the proclamation into the record. The proclamation was presented to Mr. James Crowley. Mr. Fielder presented a proclamation from Senator Wes Chesbro recognizing Mr. Crowleys' outstanding efforts and dedication in maintaining roadsides here in Lake County.

Supervisor Lewis absent at 10:00 a.m.

11. **ITEM A-15 - CONSIDERATION OF APPOINTMENTS TO THE SOLID WASTE PERMIT APPEALS HEARING BOARD** - After discussion between Board members and Mr. Cox, it was suggested that three Board members, Supervisor Robey, Supervisor Lewis and Supervisor Brown be appointed to the Solid Waste Permit Appeals Hearing Board.

This item was taken up later in the day.

On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Lewis ABSENT) Supervisor Robey, Supervisor Lewis and Supervisor Brown were appointed to the Solid Waste Permit Appeals Hearing Board.

12. **ITEM A-8 - 10:00 A.M. - PRESENTATION OF ANNUAL REPORT FROM THE FISH AND WILDLIFE ADVISORY COMMITTEE** - Agricultural Commissioner Steven Hajik and Greg Guisti, Chairman, Fish and Wildlife Advisory Committee were present.

Supervisor Lewis was present at 10:04 a.m.

Mr. Guisti presented the annual report and actions taken by the Committee during this past year.

There was no action taken on this item.

13. **ITEM A-14 - CONSIDERATION OF REQUEST TO CONFIRM THAT IT IS STILL NECESSARY TO MAKE FUTURE ROAD IMPROVEMENTS AT LAKESHORE BOULEVARD AND RAINBOW ROAD IN LAKEPORT, IN CONNECTION WITH THE NORTHERN CIRCLE HOUSING AUTHORITY** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), found that left-turn channelization at the intersection of Lakeshore Boulevard and Rainbow Road is still necessary, for the reasons and with the findings listed in the Board memo dated April 20, 2006.

14. **ITEM A-9 - 10:15 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF MAY 2006, AS OLDER CALIFORNIANS MONTH IN LAKE COUNTY** - Supervisor Robey read the proclamation into the record. The proclamation

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MAY 9, 2006**

was presented to Carol Huchingson, Chairman, Lake County Area Agency on Aging. Ms. Huchingson gave a brief overview concerning Lake County Area Agency on Aging.

15. **ITEM A-10 - 10:20 A.M. - (a) PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF MAY 14 THROUGH 20, 2006, AS EMERGENCY MEDICAL SERVICES WEEK IN LAKE COUNTY** - Supervisor Brown read the proclamation into the record. The proclamation was presented to Larry Karsteadt, Executive Director of the North Coast Emergency Medical Services.

**(b) PRESENTATION OF KRIS KELLY MEMORIAL STAR OF LIFE AWARD BY NORTH COAST EMERGENCY MEDICAL SERVICES STAFF** - Mr. Karsteadt made a presentation for the Kris Kelly Memorial Star of Life Award to Mary Cardinale-Stein, Trauma Coordinator at Sutter Lakeside Hospital.

//

//

16. **ITEM A-11 - 10:30 A.M. - PROPOSED RESOLUTION PERTAINING TO TAX REVENUE EXCHANGE FOR ANNEXATION TO SOUTH LAKE COUNTY FIRE PROTECTION DISTRICT (JERUSALEM VALLEY ANNEXATION - LAFCO PROJECT #2005-0010)** - Supervisor Robey offered Resolution No. 2006-85, and it was passed by a roll-call vote of (5 ayes).

By consensus of the Board, findings were made that a tax exchange in connection with the Jerusalem Valley annexation is unique and does not set a precedent for future similar annexations.

**BACK TO #11 - ITEM A-15 - CONSIDERATION OF APPOINTMENTS TO THE SOLID WASTE PERMIT APPEALS HEARING BOARD** - Administrative Officer Kelly Cox made a request to revisit Item A-15. Mr. Cox informed the Board of new law, Public Resources Code, Section 44308, concerning the appointment of a hearing panel.

On motion of Supervisor Brown and by vote of the Board (5 ayes), rescinded the previous appointment of Supervisors Robey, Lewis and Brown.

Pursuant to the above mentioned statute, it was determined that the Chair had authority to appoint members to the Solid Waste Permit Appeals Hearing Panel outside of the Board of Supervisors' meeting.

17. **ITEM A-12 - 11:30 A.M. - PRESENTATION OF EMPLOYEE SERVICE AWARDS** - Chair Farrington and Administrative Secretary Penny Dahl presented certificates and pen/pencil sets in recognition of fifteen or more years of employment with the County of Lake (or in the case of department heads or Board members, five or more years of service). The following employees received certificates for five years of service: Douglas Wacker - Assessor/Recorder, Anthony Farrington, District 4 Supervisor, and Rob Brown, District 5 Supervisor.

The following employees received pen/pencil sets for fifteen years of service: Rick Coel - Community Development Department; Jeff Rein - Administrative Office; Lester Deter - Department of Social Services.

The following employees received pen/pencil sets for twenty years of service: Shirley Morse - UC Extension; Russell Perdock - Sheriff's Department; Esterlina Gould - Department of Social Services; and Jill Shaul - Special Districts Administration.

The following employees received pen/pencil sets for twenty-five years of service: Mary Beth Strong - Sheriff's Department; and Sandra Thompson - Assessor/Recorders Office.

The following employees received pen/pencil sets for thirty years of service: Wesley Frey - Sheriff's Department.

18. **ITEM A-19 - 1. Conference with Labor Negotiator, (a) County Negotiators: A. Grant and M. Perry, (b) Employee Organizations: DDAA, LCCOA, LCEA and SDA; 2. Public Employee Appointment - Social Services Director; and sitting as the Board of Directors of the Lake County IHSS Public Authority, 3. 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.

There being no further business, the Board adjourned at 12:43 p.m..

\_\_\_\_\_  
Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

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