



Minutes

County of Lake Board of Supervisors

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

The Honorable Board of Supervisors of Lake County, California, met in regular session this 19th day of September, 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 Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Farrington. Following a moment of silence, Chair Farrington 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, seconded by Supervisor Robey and by vote of the Board (5 Ayes), approved Consent Agenda Items C-1 and C-7, with the exclusion of Item C-3, which was taken up immediately following the approval of the Consent Agenda.

Adopted Resolution no. 2006-174, setting rate of pay for election officers for the November 7, 2006, General Election pursuant to Section 12310 of the Elections Code.

Approved amendment to contract with Joscelyn Jones, for hearing officer services for Fiscal Year 2006-07, and authorized Chair to sign.

Approved plans and specifications for Transfer Station floor repair, Bid No. 07-09, and authorized the Purchasing Agent to advertise for bids.

Approved Agreement between the County of Lake and William Wink, for engineering services on project located at 21108 Calistoga Road, Middletown, and authorized Chair to sign.

Adopted Resolution No. 2006-176, a Resolution of Intent to adopt a resolution for the vacation of a portion of public roadway, San Diego Avenue, Middletown.

Adopted Resolution No. 2006-175, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated March 1, 2005, (Central Dispatch Facility at 1355 Hoyt Avenue, Lakeport).

2. **ITEM C-3 - PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND DAZZLING JANITORIAL FOR JANITORIAL SERVICES AT MENTAL HEALTH DEPARTMENT BUILDINGS LOCATED AT COLLEGE SQUARE, LAKEPORT AND THE BANK BUILDING, CLEARLAKE** -Mental Health Director Kristy Kelly was present.

The Board discussed the County's policies regarding competitive bidding procedures on contracts over \$10,000.

There was consensus by the Board to go out to bid for janitorial services at the College Square building, located at 991 Parallel Drive, Lakeport and South Shore Bank building located at 15145 Lakeshore Drive, Clearlake.

3. **ITEM A-2 - PRESENTATION OF 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 and (1) cat that are available for adoption at the Lake County Animal Care and Control Center.

4. **CITIZEN'S INPUT** - Mr. Roger Sayers, Jr. spoke regarding the planned development of housing and rental units in North Lakeport, as well as the golf course.

5. **ITEM A-16 - REQUEST TO RENEW CONTRACT WITH LAKE COUNTY OFFICE OF EDUCATION FOR SCHOOL-BASED SPECIALTY MENTAL HEALTH SERVICES** - Mental Health Director Kristy Kelly was present.

This item was continued to October 3, 2006, for further discussion.

6. **ITEM A-5 - Continued From June 20, July 25, August 8, and August 22, 2006 - 9:15 A.M. - CONSIDERATION OF PROPOSED ORDINANCE AMENDING ARTICLE 9 OF CHAPTER TWENTY-ONE OF THE LAKE COUNTY CODE RELATING TO PARCELS DESIGNATED AS SUBURBAN RESERVE (ANIMAL DENSITY)** - Chair Farrington stated that he has a private contract with one of the surrounding property owners of the pig farm and believes that he may have a conflict of interest regarding this matter.

The gavel was passed to Vice-Chair Smith.

Supervisor Farrington was absent at 9:21 a.m.

Community Development Director Mary Jane Fagalde was present and addressed the Board regarding recommended clarifications in the Amendment as written.

This item was continue to October 10, 2006, for further consideration.

Supervisor Farrington was present at 9:40 a.m.

The gavel was passed back to Chair Farrington.

7. **ITEM A-14 - DISCUSSION/CONSIDERATION OF INCREASED COUNTY INVOLVEMENT IN THE PEG TV CHANNEL** - PEG Channel Manager Jack Barker was present.

Supervisor Robey gave a brief overview of the PEG TV Channel and the role it plays in Lake County.

The board expressed interest in addressing this issue further again in the future.

There was no action taken on this item.

Supervisor Lewis was absent at 10:00 a.m. and was present at 10:05 a.m.

8. **ITEM A-6 - 9:45 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT -10337 PINWOOD WAY, COBB, (APN 050-261-16-00 - JOAN RENEE FONTAINE)** - Code Compliance Manager Voris Brumfield, Code Compliance Officer Anthony Howard, and Ms. Joan Renee Fontaine were present and sworn in by the Clerk.

Mr. Howard gave a brief overview and power-point presentation showing the conditions of the property.

Ms. Joan Renee Fontaine presented testimony.

On motion of Supervisor Brown and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 10337 Pinewood Way, Cobb, California, 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.

9. **ITEM A-7 - 10:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12327 THE PLAZA, CLEARLAKE OAKS (APN 035-132-13-00 - BYRON BLASQUEZ)** - Code Compliance Manager Voris Brumfield, Code Compliance Officer Allison Garrett and Mr. Bryon Blasquez were present and sworn in by the Clerk

Mr. Bryon Blasquez 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 property located at 12327 The Plaza, Clearlake Oaks, California, 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.

10. **ITEM A-8 - 10:30 A.M. - PRESENTATION OF PLAQUE RECOGNIZING ROSS KAUPER, DEPUTY AIR POLLUTION CONTROL OFFICER FOR HIS DISTINGUISHED CAREER AND EXEMPLARY SERVICE TO LAKE COUNTY** - Chair Farrington presented the plaque of appreciation to Deputy Air Pollution Control Officer Ross Kauper for his 24 -year distinguished career and exemplary service to the Lake County Community.

11. **ITEM A-15 - AN ORDINANCE AMENDING ARTICLE X OF CHAPTER TWO OF THE LAKE COUNTY CODE TO PROVIDE FOR A LOCAL VENDOR PREFERENCE - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2793, and it was passed by a roll call vote. (5 ayes)

12. **ITEM A-12 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - Supervisor Brown reported he was contacted by a constituent commending Heavy Equipment Operator John White for sweeping debris from a dangerous intersection in Clearlake Riviera.

The Board also expressed appreciation for Mr. White's 39 years of great service to Lake County.

After a short recess, the Board reconvened at 10:45 a.m., with Supervisor Brown absent.

Supervisor Brown was present at 10:50 a.m.

13. **ITEM A-9 - 10:45 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 1926 BIG VALLEY ROAD, FINLEY (APN 024-201-22 - MARILYN A. SMITH)** - Code Compliance Manager Voris Brumfield, Code Compliance Officer Thomas Blavet, and Ms. Marilyn A. Smith were present and sworn in by the Clerk.

Ms. Marilyn A. Smith 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 property located at 1926 Big Valley Road, Finley, California, 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-13 - CONSIDERATION OF REQUEST TO WAIVE FEES RELATED TO LOT SPLIT OF PROPERTY LOCATED AT 1175 EAST HIGHWAY 20, UPPER LAKE (APN 004-015-12 PAUL & ALICE MONTGOMERY)** - Community Development Director Mary Jane Fagalde, Assistant Director Public Works Bob Lossius and Assistant Planner Kevin Ingram were present.

Supervisor Lewis presented the information regarding the fees totaling \$1,882, that incurred in performing a lot split.

Chair Farrington asked if anyone present wished to speak on this item and Ms. Donna Christopher 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 the request to the pay fees related to the lot split, in the amount of \$1,882, after the closing of escrow has been completed.

15. **ITEM A-10 - 11:00 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 10360 ELK MOUNTIAN ROAD, UPPER LAKE (APN 004-002-11-00 - ESTATE OF GENEVA NEIL AND ESTATE OF NANCY GREENWELL)** - Code Compliance Manager Voris Brumfield, Code Compliance Officer Thomas Blavet, Mr. Gene Greenwell, Mr. Jim McManus and Mrs. Vickie McManus were present and sworn in by the Clerk.

Mr. Greenwell, Mr. McManus and Mrs. McManus each presented testimony.

The Board discussed concern of proper contact to all involved beneficiaries and interested parties and before any action was taken, to make sure that all interested parties were notified of the abatement.

This item continued this item to October 10, 2006 at 10:30 a.m., for further consideration.

16. **ITEM A-11 - 11:30 A.M. - PRESENTATION OF PROGRESS REPORT FOR NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM** - Water Resources Program Coordinator Pam Francis and Water Resources Engineer Tom Smythe were present.

Mr. Smythe gave a brief overview of the report on the County's participation in the National Flood Insurance Program (NFIP) Community Rating System.

There was no action taken on this item.

17. **ITEM A-17 - CLOSED SESSION - 1. Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9); Leuzinger V. County of Lake 2. Public Employee Performance Evaluation: Title: Special Districts Administrator** - 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 not further business, the Board adjourned at 12:10 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya G. Turner
Assistant Clerk of the Board