



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 10, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 10th day of April, 2007, there being present Supervisors Ed Robey, Denise Rushing, Rob Brown, Anthony Farrington, Jeff Smith, 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 Smith. Following a moment of silence, Public Works Director Gerry Shaul led the salute to the flag of the United States of America.

1. **ITEM A-3 - 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-13.

Approved Minutes of the Board of Supervisors meeting held on March 20, 2007.

Adopted Proclamation designating April 25, 2007, as Red Hat Day in Lake County.

Adopted Proclamation designating April 5th, 2007 as the Day to End Sexual Violence, April 25th, 2007 as Denim Day and the month of April 2007 as Sexual Assault Awareness Month in Lake County.

Waived the 900 Hour Limit for extra-help Office Assistant Leon Riplinger (to a maximum of 999 hours).

Approved Agreement between the County of Lake (Marketing and Economic Development Program) and the Lakeport Regional Chamber of Commerce for design and construction of the Lake County exhibit at the 2007 California State Fair, in the amount of \$6,000 (funded by the Marketing Program TOT funds), and authorized the Chair to sign.

Adopted Resolution No. 2007-62, approving the standard agreement between the County of Lake and the State Department of Mental Health for state hospital beds, Fiscal Year 2006/2007, and authorizing the Director of Mental Health to sign Agreement Number 06-76289-000.

Approved Agreement between the County of Lake and the County of Del Norte for placement of juveniles at Bar-O Boys Ranch, in the amount of \$2,950 per month (funded by General Fund Discretionary Revenue), and authorized the Chair to sign.

Approved Grant Agreement No. 06-55794 between the County of Lake (on behalf of Mt. Hannah County Service Area No. 22) and the California Department of Health Services for emergency water tank replacement, grant amount not to exceed \$120,000, and authorized the Chair to sign.

Approved Annual Statement of Investment Policy, delegation of Treasurer's Authority and confirmation of Treasury Oversight Committee Members.

Authorized temporary closure of Redbud Library during installation of new roof, per the request of County Librarian Kathleen Jansen in her memorandum to the Board of Supervisors dated March 29, 2007.

(A) Adopted Resolution No. 2007-63 amending Resolution No. 2006-164, establishing position allocation for Fiscal Year 2006/2007, Budget Unit 6022 - County Library (deleting one Librarian II position and adding on Assistant County Librarian position); and

(B) Adopted Resolution No. 2007-64 amending Resolution No. 2006-164, establishing position allocation for Fiscal Year 2006/2007, Budget Unit 1121 - Auditor-Controller (deleting one Supervising Accountant position and one Chief Deputy Auditor-Controller position and adding two Assistant Auditor-Controller positions)

Sitting as the Board of Directors of the Lake County Redevelopment Agency approved Agreement between the Lake County Redevelopment Agency and the Eastlake Grange for the purpose of providing funding for landscaping and facility improvements, in the amount of \$20,000 (funded by the Redevelopment Agency), and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Sanitation District accepted dedication and conveyance of mainline sewer extension, for public utility purposes, Glen Foltz, (16173 24th Avenue, Clearlake - APN 042-194-05), and directed Clerk to certify for recordation.

2. **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 presented one (1) canine and one (1) feline available for adoption.

3. **CITIZEN'S INPUT** - Marilyn Waits spoke about the upcoming Heron Festival at Clear Lake State Park, April 27-29, 2007.

4. **ITEM A-16 - CONSIDERATION OF RECOMMENDATION FOR AWARD OF BID NO. 07-17 FOR THE CONSTRUCTION OF LAKE COUNTY ANIMAL CARE AND SHELTER FACILITY - PHASE II - LOCATED AT HELBUSH DRIVE, LAKEPORT** - Public Works Director Gerry Shaul gave a brief summary.

On motion of Supervisor Farrington and by vote of the Board (5 ayes) awarded Bid No. 07-17 to REM Construction Company, the lowest responsive bidder, in the amount of \$1,878,027.00, for the construction of the Lake County Animal Care and Shelter Facility - Phase II - located at Helbush Drive, Lakeport, and authorized the Chair to execute the agreement and Notice of Award.

5. **ITEM A-17 - CONSIDERATION OF RECOMMENDATION FOR AWARD OF BID NO. 07-31 FOR THE CONSTRUCTION OF GADDY LANE PAVEMENT REHABILITATION, COUNTY PROJECT NO. 3124** - Public Works Director Gerry Shaul gave a brief summary.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 10, 2007

On motion of Supervisor Brown and by vote of the Board (5 ayes), awarded Bid No. 07-31 to Ghilotti Construction, the lowest responsive bidder, in the amount of \$468,851.15, for the construction of Gaddy Lane pavement rehabilitation, County Project No. 3124, and authorized the Chair to execute the agreement and Notice of Award.

6. **ITEM A-18 - CONSIDERATION OF RECOMMENDATION FOR AWARD OF BID NO. 07-32 FOR THE CONSTRUCTION OF GADDY LANE DRAINAGE IMPROVEMENTS, COUNTY PROJECT NO. 6172** - Public Works Director Gerry Shaul gave a brief summary.

On motion of Supervisor Brown and by vote of the Board (5 ayes), awarded Bid No. 07-32 to Paulson Excavating, Inc., the lowest responsive bidder, in the amount of \$63,260.00, for the construction of Gaddy Lane drainage improvements, County Project No. 6172, and authorized the Chair to execute the agreement and Notice of Award.

7. **ITEM A-5 - Continued From February 20, 2007 - 9:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 17075 DEER PARK DRIVE, LOWER LAKE (APN 049-103-10-00 - TRAVIS ALLEN)** - Code Compliance Manager Voris Brumfield and Code Compliance Officer Earl Iddings were sworn in by the Clerk.

Neither the property owner nor a representative was present.

Mr. Iddings gave a power point presentation.

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 17075 Deer Park Drive, Lower Lake, California, (APN 049-103-10-00 -Travis Allen), 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.

8. **ITEM A-15 - PROPOSED RESOLUTION ESTABLISHING A CODE OF CONDUCT AND ETHICS FOR MEMBERS OF THE BOARD OF SUPERVISORS** - Supervisor Brown gave a brief presentation of this item.

Chair Smith recommended the Resolution be amended to allow for the signatures of all five Board members.

Supervisor Robey offered Resolution 2007-61 as amended, and it was passed by a roll call vote (5 ayes).

9. **ITEM A-6 - Continued From March 27, 2007 - 9:30 A.M. - PUBLIC HEARING - APPEAL OF DAMON FANUCCHI (COBB VISTA ESTATES - AB 07-03) OF THE PLANNING COMMISSION'S DECISION TO INCLUDE ROAD IMPROVEMENT REQUIREMENTS (CURB, GUTTER AND SIDEWALKS) IN CONJUNCTION WITH THE APPROVAL OF SUBDIVISION MAP (SD 06-14); LOCATED AT 15375 STONEFIELD COURT, MIDDLETOWN, CA (APN 014-111-22)** - Community Development Director Rick Coel and Senior Planner Penelope Shibley were present.

Mr. Coel gave a brief summary of this item.

Chair Smith opened the public hearing and Joan Moss spoke.

The public hearing was continued to April 17, 2007 at 10:05 a.m.

10. **ITEM A-20 - CONSIDERATION OF AGREEMENT BETWEEN THE COUNTY OF LAKE AND DENNIS CRILLY and PAM CRILLY TO PURCHASE REAL PROPERTY LOCATED AT 6005 EAST STATE HIGHWAY 20, LUCERNE (APN 034-081-030), IN THE AMOUNT OF \$570,000, FOR EXPANSION OF ALPINE PARK (FUNDED BY PARK BOND GRANT FUNDS, REDEVELOPMENT AGENCY FUNDS AND PROCEEDS FROM PRIOR SALE OF LAND EASEMENT)** - Redevelopment Agency Deputy Director Eric Seely gave a brief summary.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Brown NO), approved the Option to Purchase Agreement for acquisition of the property located at 6005 E. State Highway 20, Lucerne (APN 034-081-030 - Dennis Crilly and Pam Crilly), in the amount of \$570,000.00, for expansion of Alpine Park (funded by Park Bond Grant funds, Redevelopment Agency funds and proceeds from prior sale of land easement) and directed staff to proceed with the necessary legal advertising and scheduling of a public hearing to complete the acquisition prior to expiration of the Option Agreement, and authorized Chair to sign Option agreement.

11. **ITEM A-8 - 10:15 A.M. - PUBLIC HEARING - (a) PURCHASE OF REAL PROPERTY CONSISTING OF LAND AND A BUILDING LOCATED IN LUCERNE, CALIFORNIA, AT THE FOLLOWING ADDRESS: 6467 9TH AVENUE (APN 034-151-44); THE AGREED PURCHASE PRICE IS \$150,000; THE SELLER IS LUCERNE ALPINE SENIORS, INC.; and**

(b) CONSIDERATION OF LEASE AGREEMENT BETWEEN THE COUNTY OF LAKE AND THE LUCERNE ALPINE SENIORS, INC. FOR LEASE OF THE PREMISES AT 6467 9TH AVENUE, LUCERNE - Senior Administrative Analyst Jennifer Hammond gave a brief summary.

Chair Smith opened the public hearing and the following people spoke: Jay Jackson, Bob Gardner, Marilyn Johnson. No one else was present wishing to speak and the public hearing was closed.

Supervisor Rushing offered Resolution 2007-67 accepting conveyance of real property consisting of land and a building located at 6467 9th Avenue, Lucerne (APN 034-151-44 - Lucerne Alpine Seniors, Inc.), and it was passed by a roll call vote (5 ayes).

On motion of Supervisor Rushing and by vote of the Board (5 Ayes), approved the Lease Agreement between the County of Lake and the Lucerne Alpine Seniors, Inc. for lease of the premises at 6467 9th Avenue, Lucerne, and authorized Chair to sign.

12. **ITEM A-7 - 9:45 A.M. - CONSIDERATION OF REQUEST FROM HOSPICE SERVICES OF LAKE COUNTY FOR FUNDING IN THE AMOUNT OF \$80,000, TO COVER THE COST OF A FUNCTIONAL SPACE ANALYSIS AND THE CONCEPTUAL DESIGN OF THE FUTURE MULTI-PURPOSE HOSPICE CENTER TO BE LOCATED ON HILL ROAD, LAKEPORT** - Chair Smith announced this item would be carried over to April 17, 2007, at 11:05 a.m.

13. **ITEM A-9 - 10:30 A.M. - PUBLIC HEARING - PURCHASE OF REAL PROPERTY CONSISTING OF LAND LOCATED IN NICE, CALIFORNIA, AT THE FOLLOWING ADDRESS: 3595 GARDEN COURT (APN 30-094-03); THE AGREED PURCHASE PRICE IS \$5,750; THE SELLER IS GRANT MURRAY** - County Administrative Officer Kelly Cox gave a brief summary.

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

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Budget Transfer #B-208, in the amount of \$5750, Budget Unit No. 4121 - Solid Waste Division.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 10, 2007

On motion of Supervisor Rushing and by vote of the Board approved the Purchase Agreement of real property consisting of land located at 3595 Garden Court, Nice (APN 30-094-03 - Grant Murray), and authorized the Chair to sign.

Supervisor Rushing offered Resolution No. 2007-65, accepting conveyance of real property located in Nice, California, and it was passed by roll call vote (5 ayes).

After a short break, the Board reconvened at 10:49 a.m.

14. **ITEM A-10 - 10:45 A.M. - PRESENTATION BY THE LAKE COUNTY RESORT AND RESTAURANT ASSOCIATION AND DONATION OF FUNDS TO THE LAKE COUNTY MARKETING PROGRAM FOR MULTI-USE PATHWAYS PROJECTS** - Mary Ann McQueen gave a presentation.

Supervisor Robey offered Resolution 2007-66, accepting a donation of funds to the County of Lake, and it was passed by roll call vote (5 ayes).

15. **ITEM A-11 - 11:00 A.M. - CONSIDERATION OF REQUEST FOR WAIVER OF COUNTY POLICY TO ALLOW THE PURCHASE OF A 4-WHEEL DRIVE VEHICLE** - District Attorney Jon Hopkins gave a brief summary.

On motion of Supervisor Robey and by vote of the Board (5 ayes), waived the County policy to allow the purchase of a 4-wheel drive vehicle by the District Attorney's office.

16. **ITEM A-12 - 11:15 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING APRIL 5TH, 2007 AS THE DAY TO END SEXUAL VIOLENCE, APRIL 25TH, 2007 AS DENIM DAY AND THE MONTH OF APRIL 2007 AS SEXUAL ASSAULT AWARENESS MONTH IN LAKE COUNTY** - Supervisor Robey read the Proclamation into the record and presented it to Gloria Flaherty, CEO of Lake Family Resource Center, who spoke.

17. **ITEM A-19 - CONSIDERATION OF RECOMMENDATION TO OPPOSE SB 893 (COX), WHICH IF ENACTED WOULD REDIRECT PROPOSITION 10 FUNDING TO THE STATE GENERAL FUND TO BE USED FOR HEALTH SERVICES** - Supervisor Robey gave a brief summary.

Tom Jordan, Executive Director of First 5 spoke.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the drafting of a letter to oppose SB 893 (Cox), to be signed by all five Supervisors.

18. **ITEM A-21 - CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND ANTONIO ROSSMAN REGARDING WATER RELATED ISSUES** - County Counsel Anita Grant gave a brief summary.

On motion of Supervisor Robey and by vote of the Board (5 ayes), directed County Counsel to set a scope of work and set a cap in the contract with Mr. Rossman, and to invite Mr. Rossman to appear before the Board at no charge to the County.

19. **A-14 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - A letter was received by the Board, commending Road Crew Area 3,

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved Certificates of Appreciation to the Area 3 Road Crew, and authorized the Chair to sign.

20. **ITEM A-13 - 1:30 P.M. - HEARING - EMPLOYEE APPEAL OF DISCIPLINARY ACTION (CLOSED SESSION)** - This item was carried over to May 1, 2007, at 1:30 p.m.

21. **ITEM A-19 - CLOSED SESSION** - 1. Public Employee Performance Evaluation: Title: Public Works Director - Chair Smith 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 1:46 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya Turner
Assistant Clerk to the Board