



# MINUTES

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JUNE 5, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 5<sup>th</sup> day of June, 2007, there being present Supervisors Ed Robey, Denise Rushing, Anthony Farrington, Rob Brown, 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 9:05 a.m. by Chair Smith. There was a moment of silence dedicated to Butch Pivniska. Following the moment of silence, Supervisor Brown 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-17, with the exception of C-10, which will be taken up later in the day.

Approved Minutes of the Board of Supervisors meetings held on May 15 and 22, 2007.

Approved Contract between the County of Lake and Canteen Services for vending machine services, and authorized the Chair to sign.

(A) Adopted Resolution No. 2007-114, approving a Cooperative Agreement with the U.S. Department of Agriculture to provide an animal damage control program for the County of Lake; and (B) approved Letter to Mr. Craig Coolahan, United States Department of Agriculture, Animal and Plant Health Inspection Service, verifying intent of Lake County to enter into the 2007/2008 USDA Wildlife Services Management Program with a funding level of \$74,705, for a total of 18 staff months of service, and authorized the Chair to sign.

(A) Approved Amendment No. 2 to Contract between the County of Lake and Kelseyville Auto Salvage and Towing for towing services in Areas 1 and 2, for a CPI increase of \$1.54 per vehicle tow; and (B) approved Amendment No. 2 to Contract between County of Lake and Last Mile Auto Dismantlers for towing services in Area 3, for a CPI increase of \$1.52 per vehicle tow, and authorized the Chair to sign both agreements.

Adopted Resolution No. 2007-115, appropriating unanticipated revenue in the amount of \$2,000 (received from Air Quality Management District in accordance with the agreement for prosecution assistance), for various office improvements and equipment, Budget Unit No. 1231 - County Counsel.

Adopted Resolution No. 2007-116, approving the standard agreement between the County of Lake and the State of California for Immunization Assistance Program (IAP) for Fiscal Year 2007/2008, in the amount of \$31,145, and authorized the Director of Health Services to sign.

Approved Third Amendment to Agreement between the County of Lake and Redwood Children's Services for Specialty Mental Health Services (change in the contract's maximum amount per fiscal year from \$350,000 to \$500,000), and authorized the Chair to sign.

Approved Contract between the County of Lake and Lake Family Resource Center for Warm-Line Services, from the period of June 1, 2007 through June 30, 2008, in the amount of \$25,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Playpower Ltd/All About Play for the acquisition and installation of three Ada play systems at Hammond Avenue, Lucerne Harbor and Nylander Parks, and authorized the Public Services Director to sign.

Adopted Resolution No. 2007-117, of intention to name certain existing unnamed roads in the County of Lake (Oak Haven Road, Black Bass Pass, East Road and Rocky Trail), located within the Lower Lake area, and set public hearing on July 10, 2007, at 9:15 a.m.

Approved Engineering and Inspection Agreement between the County of Lake and Jim Menconi for engineering services for the review of plans and inspection of work as a condition of a tentative parcel map, located at 18345 South State Highway 29, Middletown (APN 014-240-63), and authorized the Chair to sign.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 005-022-11 and 005-020-34 -Stephanie Jeanne Sutton and Michael Lee Sutton); and approved Purchase Agreement between the County of Lake and Stephanie Jeanne Sutton and Michael Lee Sutton for Hendricks Road Storm Damage Project, and authorized the Chair to sign.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 012-058-06 -Jack S. Landman, Raymond Landman and Thomas M. Mazzuchi); and approved Purchase Agreement between the County of Lake and Jack S. Landman, Raymond Landman and Thomas M. Mazzuchi for New Perini Road Bridge Project, and authorized the Chair to sign.

Approved Budget Transfer B-319 in the amount of \$6,620, for purchase of a 20 Quart Hobart mixer for the Jail Kitchen Operation - Budget Unit No.2301 - Sheriff-Jail, and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, approved Amendment No. 2 to Agreement between the Lake County Redevelopment Agency and Foothill Associates for preparation of the 3<sup>rd</sup> Avenue Plaza Final Design, Engineering and Construction Bid document, in the amount of \$11,295, and authorized the Chair to sign.

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Sitting as the Board of Directors of the Lake County Watershed Protection District, approved Agreement between the Lake County Watershed Protection District and Petersen Tractor Service, LLC, for mowing of levee grasses and incidental vegetation, in the amount of \$10,825, and authorized the Chair to sign.

2. **CITIZEN'S INPUT** - Yvonne Cox spoke regarding RU Hunger.
3. **ITEM A-5 - 9:10 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED CHANGE IN IHSS PUBLIC AUTHORITY RATE TO \$9.75 PER HOUR (WAGE RATE OF \$8.50, PAYROLL TAXES, WORKER'S COMPENSATION AND CMIPS FOR A TOTAL AMOUNT OF \$.92 AND ADMINISTRATIVE COST OF \$.33), FOR IHSS WORKERS ON THE PUBLIC AUTHORITY REGISTRY** - Social Services Director Carol Huchingson, Mary Davidson, and Michele Dibble were present.

Ms. Huchingson gave a brief summary.

Chair Smith asked if anyone present wished to speak on this item, and the following people spoke: Andy Rossoff, Felicia Smith, Jeanie Warren, and Marilyn Swann. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the IHSS PA Rate in the amount of \$9.75 per hour, which includes a wage rate of \$8.50, payroll taxes, worker's comp and CMIPS total of \$0.92, and administrative costs of \$0.33.

After a short recess, the Board reconvened at 10:55 a.m.

4. **CONSENT AGENDA ITEM C-10 - CONSIDERATION/APPROVAL AGREEMENT BETWEEN THE COUNTY OF LAKE AND SIGMA DATA SYSTEMS DIVISION FOR SIGMA SOFTWARE LICENSE, IN THE AMOUNT OF \$10,080, AND AUTHORIZE THE CHAIR TO SIGN** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Sigma Data Systems Division for Sigma Software License, in the amount of \$10,080, and authorized the Chair to sign.
5. **ITEM A-6 - 11:00 A.M. - CONSIDERATION OF REQUEST FROM TIMBERLINE DISPOSAL AND SOUTHLAKE REFUSE AND RECYCLING SERVICES FOR AN ANNUAL CPI RATE INCREASE AND IMPLEMENTATION OF A BULKY ITEM CURBSIDE COLLECTION PROGRAM FOR RESIDENTIAL CUSTOMERS, EFFECTIVE JULY 1, 2007** - Public Services Director Kim Clymire and Deputy Public Services Director Caroline Chavez were present.

Mr. Clymire gave a brief summary.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Bruce McCracken, Todd Mansell and Bob Pestoni. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Amendment No. 5 to Solid Waste Handling and Recycling Services Contract between the County of Lake and South Lake Refuse-Recycling, LLC, to increase service rates, not to exceed 90% of the U.S. City Average Consumer Price Index (CPI), and authorized the Chair to sign.

On motion of Supervisor Rushing and by vote of the Board (3 ayes, Supervisors Robey and Farrington NO), approved Amendment No. 5, Solid Waste Handling and Recycling Services Contract between the County of Lake and Timberline Disposal Company, Inc., to increase service rates, not to exceed 90% of the U.S. City Average Consumer Price Index (CPI), and authorized the Chair to sign.

6. **ITEM A-7 - 11:30 A.M. - PRESENTATION FROM FIRST 5 LAKE COUNTY OF ANNUAL REPORT FOR FISCAL YEAR 2005/2006** - Executive Director Tom Jordan presented the annual report.

After a brief lunch recess, the Board reconvened at 1:35 p.m.

The Board of Supervisors adjourned and reconvened as the Board of Directors of the Lake County Water Resources and Conservation District.

7. **ITEM A-8 - Continued From May 22, 2007 - 1:30 P.M. (a) DISCUSSION/CONSIDERATION OF RECOMMENDATIONS FROM THE CLEAR LAKE ADVISORY SUBCOMMITTEE REGARDING ZEBRA (QUAGGA) MUSSELS; and (b) BOARD ACTION IN RESPONSE TO FURTHER INFORMATION FROM WATER RESOURCES DIVISION** - Deputy Public Works Director - Water Resources Pam Francis and Agricultural Commissioner Steve Hajik were present.

Ms. Francis gave power point presentation.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Phil Murphy, Janet Cawn, Ed Calkins, Joan Moss, and Robert Stark. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Director Rushing and by vote of the Board (5 ayes), approved drafting a letter to our legislators, state and federal, as well as surrounding Counties, CSAC and RCRC, requesting assistance in mitigating the quagga mussel threat, directed Supervisors Rushing and Brown to work with County Counsel to investigate options regarding a Declaration of State of Emergency and to report these findings to the Board on June 12, 2007.

This item was continued to June 26, 2007, 10:00 a.m.

The Board of Directors of the Lake County Water Resources and Conservation District adjourned and reconvened as the Board of Supervisors.

8. **ITEM A-9 - 2:00 P.M. - PUBLIC HEARING - (a) PROPOSED ORDINANCE ADDING ARTICLE IX TO CHAPTER 5 OF THE LAKE COUNTY CODE REGARDING SUMMARY ABATEMENTS ; and (b) PROPOSED ORDINANCE ADDING SECTION 13-7 TO CHAPTER 13 OF THE LAKE COUNTY CODE, REGARDING SUMMARY ABATEMENT (PROVIDING THE COMMUNITY DEVELOPMENT DIRECTOR THE AUTHORITY TO ORDER A SUMMARY ABATEMENT OF A PUBLIC NUISANCE AND SET THE PROCEDURES TO BE FOLLOWED BY THE COMMUNITY DEVELOPMENT DIRECTOR)** - Community Development Director Rick Coel and Chief Building Official Mary Jane Fagalde were present.

Ms. Fagalde gave a brief summary.

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

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The public hearing was continued to June 19, 2007, 11:00 a.m.

9. **ITEM A-10 - 2:15 P.M. - PUBLIC HEARING - PROPOSED ORDINANCE ADDING ARTICLE VIII TO CHAPTER 5 OF THE LAKE COUNTY CODE, REGARDING REGULATION OF VACANT STRUCTURES, REQUIRING THAT VACANT STRUCTURES ARE PROPERLY SECURED AND BOARDED DURING TEMPORARY PERIODS OF VACANCY PURSUANT TO A PERMIT (6 MONTHS WITH ONE 6 MONTH EXTENSION)** - Community Development Director Rick Coel and Chief Building Official Mary Jane Fagalde were present.

Ms. Fagalde gave a brief summary.

There were numerous amendments made to the ordinance.

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

On motion of Supervisor Brown and by vote of the Board (5 ayes), waived the reading of the ordinance, as amended, and had it read in title only (Clerk so did).

On motion of Supervisor Brown and by vote of the Board (5 ayes), advanced the ordinance to June 19, 2007.

10. **ITEM A-11 - 2:30 P.M. - PUBLIC HEARING - PROPOSED ORDINANCE ADDING ARTICLE V TO CHAPTER 13 OF THE LAKE COUNTY CODE, REGARDING GRAFFITI ABATEMENT, (PROHIBITING GRAFFITI, AND TO PROVIDE A PROCEDURE FOR THE PROMPT REMOVAL, WITHIN TEN (10) DAYS, OF THE APPEARANCE OF GRAFFITI BY THE OWNER OR OCCUPANT OF ANY PROPERTY IN THE COUNTY OF LAKE)** - Community Development Director Rick Coel and Chief Building Official Mary Jane Fagalde were present.

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

There were numerous amendments made to the ordinance.

On motion of Supervisor Brown and by vote of the Board (5 ayes), waived the reading of the ordinance, as amended, and had it read in title only (Clerk so did).

On motion of Supervisor Brown and by vote of the Board (5 ayes), advanced the ordinance to June 19, 2007.

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

**CHANGE ORDER NO. 1 - THE CONSTRUCTION ON MERRITT ROAD AT KELSEY CREEK FEDERAL-AID-BRIDGE REPLACEMENT PROJECT NO. BRLO-NBIL (037) IN LAKE COUNTY, CA, BID NO 07-02** - This change order reflects changes to help facilitate the installation of the 96" diameter Cast-In-Drilled-Hole (CIDH) piles.

Public Works Director Gerry Shaul provided the Board with background information.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the execution of the subject CCO No. 1, at no cost or credit change, and authorized the Chair to sign.

12. **ITEM A-15 - CONSIDERATION OF PROPOSED RESOLUTIONS (a) ESTABLISHING A PROCEDURE FOR INDUSTRIAL DISABILITY RETIREMENTS; and (b) DELEGATING AUTHORITY TO COUNTY ADMINISTRATIVE OFFICER TO DETERMINE WHETHER DISABILITY IS INDUSTRIAL** - Human Resources Director Kathy Ferguson gave a brief summary.

Supervisor Robey offered Resolution No. 2007-118, establishing a procedure for industrial disability retirement determinations of County of Lake Local Safety Officer employees in the Public Employees Retirement System and it was passed by the Board in a roll call vote (5 ayes).

Supervisor Robey offered Resolution No. 2007-119, delegating authority to the incumbent County Administrative Officer pursuant to Government Code §21172, and it was passed by the Board in a roll call vote (5 ayes).

13. **ITEM A-16 - Continued From May 22, 2007 - PROPOSED ORDINANCE AMENDING THE URGENCY ORDINANCE ADOPTING EMERGENCY WATER CONSERVATION RESTRICTIONS FOR COUNTY SERVICE AREA NO. 2 - SPRING VALLEY LAKES** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), waived the reading of the ordinance, and had it read in title only (Clerk so did).

Supervisor Rushing offered Ordinance No. 2822, and it was passed by the Board in a roll call vote (5 ayes).

14. **ITEM A-12 - 3:00 P.M. - DISCUSSION/CONSIDERATION OF REQUEST FOR PROPOSAL (RFP) FOR A RATE AND FINANCIAL STUDY OF SPECIAL DISTRICTS AND POSSIBLE FUNDING SOURCES FOR THIS PROJECT** - At the request of Deputy County Administrative Officer Jeff Rein, this item was continued to June 19, 2007.

15. **ITEM A-17 - CLOSED SESSION** - 1. Public Employee Performance Evaluation: Title: Public Services Director - Chair Smith announced the Board would now go into Closed Session for the reason stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the meeting was adjourned at 4:12 p.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Mireya G. Turner

