



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MARCH 20, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 20th day of March, 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, Supervisor Rushing 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-12, with the exclusion of C-2, which was carried over to March 27, 2007, and C-9, which was taken up later in the day.

Approved Minutes of the Board of Supervisors meetings held on February 27 and March 6, 2007.

Adopted Resolution No. 2007-46, amending Resolution No. 2006-164 establishing position allocations for Fiscal Year 2006-2007, Budget Unit No. 1341 - Personnel, and changing the name of the Personnel Department to the Human Resources Department (changing classification titles to reflect the new department name).

Approved engineering and inspection agreement between the County of Lake and Manuel Adams for engineering services for the review of plans and inspection of work as a condition of an tentative parcel map, located at 2232 Riggs Road, Lakeport, and authorized the Chair to sign.

(A) Adopted Resolution No. 2007-47, of intention to name an existing unnamed road in the County of Lake (Noble Ranch Road), beginning at its intersection with Spruce Grove Road, County Road No. 122, Lower Lake, **and set public hearing on April 17, 2007, 9:15 a.m.;**

(B) Adopted Resolution No. 2007-48, of intention to name an existing unnamed road in the County of Lake (Little High Valley Road), beginning at its intersection with Spruce Grove Road, County Road 122, Lower Lake, **and set public hearing on April 17, 2007, 9:20 a.m.;**

(C) Adopted Resolution No. 2007-49, of intention to name an existing unnamed road in the County of Lake (Lake Ridge Road), beginning at its intersection with Morgan Valley Road, Lower Lake, **and set public hearing on April 17, 2007, 9:25 a.m.**

Adopted Resolution No. 2007-50, order approving final parcel map and the signing of the final parcel map (Lavine).

Adopted Resolution No. 2007-51, order approving final parcel map and the signing of the final parcel map (Parkinson).

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-027-17 - Deborah Elliott and Joshua J. Beebe) and approved purchase agreement between the County of Lake and Deborah Elliott and Joshua J. Beebe, for Gaddy Lane - Soda Bay Road Intersection Project, and authorized the Chair to Sign.

Approved Amendment to claims for payment of excess proceeds from Tax Sale #144 (Group One) per Section 4675 of the Revenue and Taxation Code, as recommended in memorandum dated March 7, 2007, from Treasurer-Tax Collector Sandra Kacharos.

Approved agreement between the County of Lake and the Lake County Redevelopment Agency providing a loan of operating funds from the County to the agency, in the amount of \$970,000; and authorized the Chair to Sign.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, approved agreement between the County of Lake and the Lake County Redevelopment Agency providing a loan of operating funds from the County to the agency, in the amount of \$970,000; and authorized the Chair to Sign.

CONSENT AGENDA ITEM C-2 - ADOPT PROCLAMATIONS COMMENDING LYNETTE REYNOLDS, JOE and JOANNE RAMHORST, GEORGE BATES AND SANDIE ELLIOT FOR THEIR IMMEDIATE RESPONSE AND ONGOING ASSISTANCE IN THE CONTAINMENT OF AVIAN CHOLERA ON CLEAR LAKE - This item was carried over to March 27, 2007.

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** - Cathy and David Jones spoke regarding Spring Valley CSA #2 Water System Management.

Celeste Dieter spoke regarding the upcoming 2nd Annual Lake County Kennel Club Obedience Trials.

Supervisor Brown read into the record a Proclamation designating March 20, 2007 as National Agriculture Day in Lake County and presented the proclamation to Lynn Gallagher, who also spoke. Various members of Lake County 4-H were present and spoke.

4. **ITEM A-16 - CONSIDERATION OF RECOMMENDATION FOR AWARD OF BID NO. 07-02 FOR CONSTRUCTION ON MERRITT ROAD AT KELSEY CREEK FEDERAL-AID BRIDGE REPLACEMENT PROJECT NO. BRLO-NBIL (037)** - Public Works Director Gerry Shaul gave a brief summary.

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On motion of Supervisor Brown and by vote of the Board (5 ayes), awarded Bid No. 07-02 to MCM Construction, Inc., in the amount of \$2,427,324.00 for the construction on Merritt Road at Kelsey Creek Federal-aid Bridge Replacement Project No. BRLO-NBIL (037) and authorized the Chair to sign bid award.

5. **ITEM A-17 - CONSIDERATION OF RECOMMENDATION FOR AWARD OF BID NO. 07-29 FOR APPLICATION OF CAPE SEAL COATING ON VARIOUS ROADS IN LAKE COUNTY** - 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. 07-29 to Graham Contractors Inc., in the amount of \$404,457.77 for the application of cape seal coating on various roads in Lake County and authorized the Chair to sign bid award.

6. **ITEM A-20 - PROPOSED RESOLUTION AMENDING RESOLUTION NO. 2006-164 ESTABLISHING POSITION ALLOCATIONS FOR FISCAL YEAR 2006-2007, BUDGET UNIT NO. 1903 - DEPARTMENT OF PUBLIC WORKS (ADDING ONE ACCOUNTANT II ALLOCATION FOR A ONE-YEAR TERM BEGINNING MARCH 21, 2007)** - Public Works Director Gerry Shaul gave a brief summary.

Supervisor Robey offered Resolution No. 2007-45, and it was passed by roll call vote (5 ayes).

7. **ITEM A-5 - 9:25 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 18764 GRANGE ROAD, MIDDLETOWN (APN 014-270-48-00 - JOSE DAMIAN)** - Code Compliance Manager Voris Brumfield and Code Compliance Officer Anthony Howard were sworn in by the Clerk.

Neither the property owner nor a representative was present.

Mr. Howard 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 18764 Grange Road, Middletown, California, (APN 014-270-48-00 -Jose Damian), 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-6 - 9:35 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 14700 BIG CANYON ROAD, MIDDLETOWN (APN 012-006-30-00 - LOUIS STAYER)** – Community Development Director Rick Coel, Code Compliance Manager Voris Brumfield, Code Compliance Officer Anthony Howard, Alan Hasser, and George Rosenburger, and Isabel Jessop were sworn in by the Clerk.

Mr. Howard gave a power point presentation.

Mr. Hasser, Mr. Rosenburger and Isabel Jessop gave testimony.

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 14700 Big Canyon Road, Middletown, California, (APN 012-006-30-00 -Jose Damian), 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 - 10:00 A.M. - PRESENTATION OF PROCLAMATION COMMENDING FRANCISCO JAVIER BATRES FOR HIS HEROISM** - Public Services Director Kim Clymire gave a recount of Mr. Batres' act of heroism.

Supervisor Farrington read the proclamation into the record and presented the proclamation to Mr. Batres who spoke.

Mr. and Mrs. Grutesmacher were present.

Mrs. Grutesmacher spoke.

After a short break, the Board returned at 10:35 a.m.

10. **ITEM A-8 - 10:15 A.M. - PRESENTATION REGARDING THE PROPOSED ACQUISITION BY THE TRUST FOR PUBLIC LANDS, OF 1400 ACRES OF THE BLUE OAK RAN CH PROPERTY THAT WOULD PROVIDE YEAR-ROUND ACCESS TO COW MOUNTAIN RECREATION AREA AND REQUEST FOR A LETTER IN SUPPORT OF THIS ACQUISITION (LOCATED APPROXIMATELY 5 MILES WEST OF HIGHWAY 29 AND HIGHWAY 175 INTERSECTION NEAR LAKEPORT)** - Bureau of Land Management Field Manager Rich Burns gave a presentation.

Chair Smith asked anyone if anyone was present wishing to speak on this item and Bobby Dutcher spoke. 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), directed staff to draft a letter of support of the BLM acquisition of 1400 acres of the Blue Oak Ranch, with a signature line for each supervisor.

11. **ITEM A-14 - PROPOSED ORDINANCE AMENDING CHAPTER 15 OF THE LAKE COUNTY CODE GOVERNING ALCOHOL USE IN COUNTY PARKS (TO PROHIBIT ALCOHOL IN LAKESIDE COUNTY PARK UNLESS APPROVED UNDER A FACILITY USE AGREEMENT)** - Public Services Director Kim Clymire and Park Maintenance Leadworker Don Walsh were present.

Mr. Clymire gave a brief summary.

Chair Smith asked anyone was present wishing to speak on this item and the following persons spoke: David Jones and Robert Stark. No one else was present wishing to speak and the public portion of this item was closed.

There was action taken on this item.

12. **ITEM A-9 - 10:45 A.M. - CONSIDERATION OF APPOINTMENTS TO THE SPRING VALLEY CSA #2 ADVISORY BOARD** - Supervisor Rushing gave a power point presentation.

Chair Smith asked anyone present wished to speak on this item and the following persons spoke: Helen Mitcham, Monte Winters, David Jones, and Cathy Jones.

No one else was present wishing to speak and the public portion of this item was closed.

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On motion of Supervisor Rushing and by vote of the Board (5 ayes), appointed Mark Currier, David Field, Tim Jordan, Ernest C. Lahti, Monte Winters, Helen Mitcham and James Hershey to the Spring Valley CSA #2 Advisory Board, for terms expiring January 1, 2009.

13. **ITEM A-10 - 11:00 A.M. - UPDATE ON THE WORKFORCE INVESTMENT ACT (WIA) PROGRAM** - Jeff Lucas and Stuart Knox of the Lake County One-Stop gave a brief presentation.

Chair Smith asked anyone was present wishing to speak on this item and Joan Moss spoke. No one else was present wishing to speak and the public portion of this item was closed.

There was no action was taken on this item.

14. **ITEM A-21 - CONSIDERATION OF FIRST AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF LAKE AND BRELJE and RACE FOR PROFESSIONAL SERVICES (MT. HANNAH WATER STORAGE TANK REPLACEMENT), FOR AN ADDITIONAL COST OF \$59,600** - Special Districts Administrator Mark Dellinger, Utility Services Compliance Coordinator Peggie King were present.

Mr. Dellinger gave a brief summary.

Chair Smith asked if anyone was present wishing to speak on this item. No one 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 (4 ayes, Supervisor Brown NO), approved the first amendment to the agreement between the County of Lake and Brelje and Race for professional services (Mt. Hannah water storage tank replacement), for an additional cost of \$59,600, and authorized the Chair to sign.

15. **ITEM A-22 - REQUEST FOR DIRECTION REGARDING REQUEST FOR INSTALLATION OF STREETLIGHT ON AN EXISTING POLE LOCATED AT 6520 MADRONE DRIVE, KELSEYVILLE (SODA BAY LIGHTING DISTRICT), AND DIRECT SPECIAL DISTRICTS TO NOTIFY PG&E TO INSTALL SAID STREETLIGHT** - Special Districts Administrator Mark Dellinger and Special Districts Administrative Manager Karen Hanson were present.

Ms. Hanson gave a brief summary.

Chair Smith asked if anyone was present wishing to speak on this item and Ron Nagy spoke. 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 (4 ayes, Supervisor Farrington NO) approved the installation of a streetlight at 6520 Madrone Drive, and go forward with the Proposition 218 notification process for two additional streetlights.

The Board adjourned for lunch at 12:50 p.m. and reconvened at 1:47 p.m.

16. **ITEM A-15 - CONSIDERATION OF REQUEST FOR WAIVER OF COUNTY POLICY TO ALLOW THE PURCHASE OF A 4-WHEEL DRIVE PICK-UP TRUCK** - Public Services Director Kim Clymire gave a brief summary.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the waiver of County policy to allow the purchase of a 4-wheel drive pick-up truck.

17. **ITEM A-19 - CONSIDERATION OF PROPOSED OPTION AGREEMENT FOR PURCHASE REAL PROPERTY LOCATED AT 2595 GARDEN DRIVE, NICE (GRANT MURRAY, PROPERTY OWNER, APN'S 30-094-03), IN THE AMOUNT OF \$5,750, TO BE USED AS A GREEN WASTE SITE** - Public Services Director Kim Clymire gave a brief summary.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the option agreement for purchase of real property located at 2595 Garden Drive, Nice (Grant Murray, Property Owner, APN 30-094-03), in the amount of \$5,750, to be used as a green waste site, and authorized the Chair to sign.

18. **ITEM A-13 - PROPOSED ORDINANCE REPLACING ORDINANCE NO. 2471 ESTABLISHING A FEE SCHEDULE FOR THE REGISTRAR OF VOTERS OFFICE** - Registrar of Voters Diane Fridley gave a brief summary.

On motion of Supervisor Brown 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 Brown and by vote of the Board (5 ayes), advanced the ordinance one week to April 3, 2007.

19. **CONSENT AGENDA ITEM C-9 - PROPOSED RESOLUTION AUTHORIZING THE REGISTRAR OF VOTERS TO EXPAND THE CONFIDENTIALITY OF VOTER REGISTRATION INFORMATION TO SPECIFIED PUBLIC OFFICIALS PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 2166.7** - Registrar of Voters Diane Fridley gave a brief summary.

Supervisor Brown offered Resolution 2007-52, and it was passed by a roll-call vote (5 ayes).

20. **ITEM A-18 - CONSIDERATION OF APPROVAL OF OUT-OF-STATE TRAVEL FOR DETECTIVE STEVE BROOKS TO NASHVILLE, TENNESSEE, FROM APRIL 3-5, 2007, TO ATTEND THE ANNUAL DOMESTIC CANNABIS ERADICATION/SUPPRESSION PROGRAM NATIONAL TRAINING CONFERENCE (AT A COST OF \$1302, TO BE REIMBURSED BY FEDERAL DEA FUNDS)** - Sheriff Rod Mitchell gave a brief summary.

On motion of Supervisor Farrington and by vote of the Board (3 ayes, Supervisors Rushing and Robey NO), approved the out-of-state travel for Detective Steve Brooks to Nashville, Tennessee, from April 3-5, 2007, to attend the Annual Domestic Cannabis Eradication/Suppression Program National Training Conference (at a cost of \$1302, to be reimbursed by Federal DEA Funds).

21. **ITEM A-12 - CONSIDERATION OF THE RECLASSIFICATION COMMITTEE'S RECOMMENDATIONS FOR FISCAL YEAR 2007/2008 RECLASSIFICATIONS AND SALARY ADJUSTMENTS** - Supervisor Brown gave a brief summary.

On motion of Supervisor Brown and by vote of the Board (5 ayes) accepted the recommendations of the Reclassification Committee for Fiscal Year 2007/2008 reclassifications and salary adjustments.

22. **ITEM A-23 - CLOSED SESSION** - 1. Sitting as the Board of Directors of the Lake County IHSS Public Authority Conference with Labor Negotiator (a) Agency Negotiator: F. Buchanan (b) Employee Organization: United Domestic Workers of America - Chair Smith announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken.

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There being no further business, the Board adjourned at 3:30 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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