



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MARCH 27, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 27th day of March, 2007, there being present Supervisors Denise Rushing, Rob Brown, Jeff Smith, Administrative Officer Kelly Cox, County Counsel Anita Grant, and Assistant Clerk of the Board Mireya Turner. Supervisors Ed Robey and Anthony Farrington were absent all day.

The meeting was called to order at 9:00 a.m. by Chair Smith. Following a moment of silence, Animal Control Officer Morgan Nelsen led the salute to the flag of the United States of America.

1. **ITEM A-3 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Robey and Farrington ABSENT), approved Consent Agenda Items C-1 through C-8, with the exclusion of C-5, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors meeting held on March 13, 2007.

Adopted Proclamations commending Lynette Shimek, Joe and Joanne Ramhorst, George Bates, Sandie Elliot, Katherine Yoder, Loren Freeman and Ryan Maki for their immediate response and ongoing assistance in the containment of Avian Cholera on Clear Lake.

Waived the 900 hour limit for extra-help Benefits Specialist Mary Nassarre, Medical Records Technician Carmen McBride, Transportation Aid Grace Gault and Transportation Aid Edwin Hill.

Adopted Resolution No. 2007-53, amending Resolution No. 2006-164 establishing position allocations for Fiscal Year 2006-2007, Budget Unit No. 4019 - Mental Health Services Act (deleting one (1) Mental Health Specialist I/II/Senior position and adding one (1) Mental Health Specialist I/II Senior Consumer Coordinator position; deleting six (6) Mental Health Case Manager I positions and adding two (2) Mental Health Case Manager I/II Peer Support positions and adding one (1) Mental Health Case Manager I/II Hispanic Outreach and Engagement Specialist position and adding one (1) Mental Health Case Manager I/II Native American Outreach and Engagement Specialist position and adding two (2) Mental Health Case Manager I/II Parent Partner positions; and deleting one (1) Office Aide/Office Assistant I/II position and adding one (1) Office Assistant I/II Peer Support position).

Approved Engineering and Inspection Agreement between the County of Lake and Ross Hardester for engineering services for the review of plans and specifications and inspection of work as a condition of a use permit, located at 18983 Hartmann Road, Hidden Valley Lake, 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 purpose of providing sewer service, Jonathan Soderling, located at 3605 Vista Street (APN 039-53-24) and 3615 Vista Street (APN 039-653-25), Clearlake, and directed Clerk to certify for recordation.

Approved sewer mainline extension, for purpose of providing sewer service, Sherrie Bauman and Anthony Pieroni, located at 15835 23rd Avenue (APN 042-163-06), 15845 23rd Avenue (APN 042-163-07) and 15855 23rd Avenue (APN 042-163-08), Clearlake, and directed Clerk to certify for recordation.

CONSENT AGENDA ITEM C-5 - PROPOSED RESOLUTION APPROPRIATING UNANTICIPATED REVENUE IN THE OF \$97,420 (RECEIVED FROM THE STATE OF CALIFORNIA ALCOHOL AND DRUG PROGRAMS, OFFENDER PROGRAM GRANT) FOR ENHANCED TREATMENT SERVICES TO THE SUBSTANCE ABUSE OFFENDER TREATMENT PROGRAM REFERRALS, BUDGET UNIT NO. 4015 - AODS. - This item was carried over to April 3, 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. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

EXTRA #1 - CONSIDERATION OF REQUEST TO APPROVE COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF LAKE AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE INSTALLATION OF TRAFFIC CONTROL SIGNALS AND ROADWAY IMPROVEMENTS AT THE INTERSECTION OF STATE HIGHWAY 29 AND RED HILLS ROAD (KIT'S CORNER), KELSEYVILLE - On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Robey and Farrington ABSENT), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

This item was considered as an extra for the following reasons:

On March 20, 2007, CalTrans contacted the Public Works Department regarding the project, which was slated for construction this Summer, and that the Cooperative Agreement needed to be executed prior to requesting the necessary funding allocation from the California Transportation Commission (CTC). The deadline for submitting the funding allocation request to the CTC is April 2, 2007.

On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Robey and Farrington ABSENT), approved the Cooperative Agreement between the County of Lake and the California Department of Transportation (CalTrans) for the installation of traffic control signals and roadway improvements at the intersection of State Highway 29 and Red Hills Road (Kit's Corner), Kelseyville, and authorized the Chair to sign.

4. **ITEM A-14 - DISCUSSION/CONSIDERATION OF PROPOSED AMENDMENT ONE TO THE AGREEMENT BETWEEN THE COUNTY OF LAKE AND QUINCY ENGINEERING, INC. FOR ENGINEERING SERVICES FOR SOUTH MAIN STREET/SODA BAY ROAD CORRIDOR IMPROVEMENT PROJECT IN LAKE COUNTY (THE INCREASED COST OF AMENDMENT ONE IS \$15,822.31; AND THE COST OF ORIGINAL CONTRACT WAS \$69,458.48)** - Public Works Director Gerry Shaul gave a brief summary.

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Chair Smith asked if anyone present wished 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 Brown and by vote of the Board (3 ayes, Supervisors Robey and Farrington ABSENT), approved Amendment One to Agreement between the County of Lake and Quincy Engineering, Inc. for engineering services for the South Main Street and Soda Bay Road Corridor Improvement Project with Quincy Engineering, Inc. in the amount of \$15,822.31, and authorized the Chair to sign.

5. **CITIZEN'S INPUT** - Victoria Brandon spoke regarding the upcoming Global Warming Rally on April 14, 2007.
6. **ITEM A-5 - 9:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12485 SHADY LANE, CLEARLAKE OAKS, (APN 035-111-01-00 - RICHARD JONES)** - Code Compliance Manager Voris Brumfield and Richard Jones were sworn in by the Clerk.

Ms. Brumfield gave a power point presentation on the conditions of the property.

Mr. Jones gave testimony.

On motion of Supervisor Rushing and by vote of the Board (3 ayes, Supervisors Robey and Farrington ABSENT), adopted the order to complete abatement of the nuisance on property located at 12485 Shady Lane, Clearlake Oaks, California, (APN 035-111-01-00 - Richard Jones), 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.

7. **ITEM A-6 - 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) - (THE APPELLANT HAS REQUESTED A CONTINUANCE OF THIS HEARING TO APRIL 10, 2007, AT 9:30 A.M.)** - Chair Smith opened the public hearing.

This public hearing was continued to April 10, 2007, at 9:30 a.m.

8. **ITEM A-7 - 9:45 A.M. - PUBLIC HEARING - APPEAL OF ROBERT FRANKLIN (AB 07-02) OF THE PLANNING COMMISSION'S DECISION TO INCLUDE ROAD IMPROVEMENT REQUIREMENTS (CURB, GUTTER AND SIDEWALKS) IN CONJUNCTION WITH THE APPROVAL OF PARCEL MAP (PM 06-28); LOCATED AT 15235 RICH'S WAY, MIDDLETOWN, CA (APN 014-111-24) - (THE APPELLANT HAS REQUESTED A CONTINUANCE OF THIS HEARING TO APRIL 3, 2007, AT 10:45 A.M.)** - The Board received a letter from Mr. Franklin requesting this item be continued to April 3, 2007, at 10:45 a.m.

Chair Smith opened the public hearing.

The public hearing was continued to April 3, 2007, at 10:45 a.m.

9. **ITEM A-12 - (a) CONSIDERATION OF REQUEST TO WAIVE THE CONSULTANT SELECTION PROCESS AND DETERMINE AND FIND THAT IT IS NOT IN THE PUBLIC INTEREST TO FOLLOW THE CONSULTANT SELECTION BOARD PROCESS FOR PROFESSIONAL CONSULTING SERVICES; and (b) PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND BARTIG, BASIER & RAY, LLP TO PROVIDE PROFESSIONAL CONSULTING SERVICES (REVIEW AND ANALYSIS OF THE COUNTY'S PROJECT ACCOUNTING NEEDS), NOT TO EXCEED \$25,000** - The Board received a memorandum from the Auditor-Controller's office requesting this item be carried over to April 3, 2007.
10. **ITEM A-13 - DISCUSSION/CONSIDERATION OF PROPOSED RESOLUTION APPROPRIATING UNANTICIPATED REVENUE IN THE AMOUNT OF \$81,372 (RECEIVED FROM SOUTHWEST BORDER PROSECUTION INITIATIVE GRANT) FOR PURCHASE/REPLACEMENT OF DA INVESTIGATORS' SAFETY EQUIPMENT, OFFICE FURNITURE, COMPUTER EQUIPMENT, THE DISPATCH RENOVATION PROJECT AND PROFESSIONAL AND SPECIALIZED SERVICES, BUDGET UNIT NO. 2110 - DISTRICT ATTORNEY** - The Board received a memorandum from the District Attorney's office requesting this item be carried over to April 3, 2007.
11. **ITEM A-16 - (a) PROPOSED RESOLUTION AUTHORIZING APPLICATION FOR CHILD ABUSE VERTICAL PROSECUTION PROGRAM (VB); (b) PROPOSED RESOLUTION AUTHORIZING APPLICATION FOR ANTI-DRUG ABUSE PROGRAM (ADA); (c) PROPOSED RESOLUTION AUTHORIZING APPLICATION FOR A SPOUSAL ABUSER PROSECUTION PROGRAM (SAPP); and (d) PROPOSED RESOLUTION AUTHORIZING APPLICATION FOR VICTIM-WITNESS ASSISTANCE PROGRAM (VWAP)** - The Board received a memorandum from the Victim-Witness Administrator Sam Laird requesting this item be carried over to April 3, 2007.

12. **ITEM A-11 - CONSIDERATION OF REQUEST FOR WAIVER OF COUNTY POLICY TO ALLOW THE PURCHASE OF A 4-WHEEL DRIVE VEHICLE** - On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Robey and Farrington ABSENT), approved the request for waiver of County policy to allow the purchase of a 4-wheel drive vehicle by the Health Services Department.

13. **ITEM A-10 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - The Public Works Department received a letter of appreciation from Cobb Mountain residents, regarding the efforts of Area #5 Road Crew to keep the roads clear during the cold spell and snow days this past February.

On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Robey and Farrington ABSENT), approved a Certificate of Appreciation to Department of Public Works Area 5 Road Crew, and authorized the Chair to sign.

On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Robey and Farrington ABSENT), authorized the reimbursement of travel and incidental expenses for Supervisor Rushing to attend a presentation of future technology solutions at the Cisco Systems Executive Briefing Center in San Jose on April 5, 2007.

14. **ITEM A-15 - DISCUSSION/CONSIDERATION OF PROPOSED FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN THE COUNTY OF LAKE AND LYON 1995 REVOCABLE TRUST FOR THE PREMISES LOCATED AT 8555 HIGHWAY 53, LOWER LAKE (10-YEAR EXTENSION OF EXISTING LEASE AT A MONTHLY COST OF \$21,140.68, WITH FUTURE COST OF LIVING ADJUSTMENTS)** - Social Services Director Carol Huchingson gave a brief summary.

Chair Smith asked if anyone present wished 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 Rushing and by vote of the Board (3 ayes, Supervisors Robey and Farrington ABSENT), approved the First Amendment to lease agreement between the County of Lake and Lyon 1995 Revocable Trust for the premises located

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at 8555 Highway 53, Lower Lake (10-year extension of existing leave at a monthly cost of \$21,140.68, with future cost of living adjustments), and authorized the Chair to sign.

After a short break, the Board reconvened at 10:15 a.m.

15. **ITEM A-8 - 10:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 12881 LAKEVIEW DRIVE, CLEARLAKE OAKS, (APN 035-172-13-00 - ERNIE ROBLES)** - Code Compliance Manager Voris Brumfield and Code Compliance Officer Allison Garrett were sworn in by the Clerk.

Neither the property owner nor a representative was present.

Ms. Garrett gave a power point presentation.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 12881 Lakeview Drive, Clearlake Oaks, California, (APN 035-172-13-00 - Ernie Robles), 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.

16. **ITEM A-9 - 10:30 A.M. - PRESENTATION OF PROCLAMATIONS COMMENDING LYNETTE SHIMEK, JOE and JOANNE RAMHORST, GEORGE BATES, SANDIE ELLIOT, KATHERINE YODER, LOREN FREEMAN AND RYAN MAKI FOR THEIR IMMEDIATE RESPONSE AND ONGOING ASSISTANCE IN THE CONTAINMENT OF AVIAN CHOLERA ON CLEAR LAKE** - Supervisors Rushing and Brown read the Proclamations into the record and presented them to the recipients.

Various members of the Public Services Department were also present.

There being no further business, the Board adjourned at 10:43 a.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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