



MINUTES

COUNTY OF LAKE

BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 12, 2008

The Honorable Board of Supervisors of Lake County, California, met in Regular Session this 12th day of February 2008, there being present Supervisors Jeff Smith, Denise Rushing, Anthony Farrington, Rob Brown, and Ed Robey, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 8:30 a.m. by Chair Robey.

All Supervisors were present.

1. **ITEM A-1 - 8:30 A.M. - CLOSED SESSION - (1) CONFERENCE WITH LABOR NEGOTIATOR: (a) COUNTY NEGOTIATORS A. GRANT, R. LAMBERT AND M. PERRY; and (b) EMPLOYEE ORGANIZATION: LCEA, LCCOA, SDA AND DDAA (2) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - TITLE: AGRICULTURAL COMMISSIONER** - Chair Robey announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board returned to Regular Session at 9:00 a.m. with no action taken.

The Board returned to Closed Session later in the day.

After a brief recess, the Board returned at 9:05 a.m.

Following a moment of silence, Supervisor Farrington led the salute to the flag of the United States of America.

2. **ITEM A-2 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-10.

Appointed Donna M. Spellman to the Audit Committee for a term expiring on January 1, 2009.

Approved Lake County's participation in the California State Fair in 2008, and authorized Clerk of the Board Kelly Cox to sign the Counties Exhibits Authorization and Appointment Form, as per the memorandum to the Board of Supervisors from Deputy County Administrative Officer-Economic Development Debra Sommerfield, dated February 7, 2008.

Approved the Request for waivers of the 900 hour limit for extra-help Parks Maintenance Workers Jennifer Lyons and Benjamin Deluna and extra-help Janitor Danna Shaats.

Approved Amendment to Agreement between the County of Lake and Ruzicka Associates (an increase of \$24,000) for the repair of storm damage sites on Bartlett Springs Road at PM 1.4 and PM 29.3 and authorized the Chair to sign.

Adopted Resolution No. 2008-32 approving the application for grant funds for Capital Improvement and development of Lampson Airport and designating the Public Works Director as sponsor's official representative.

Approved Permit to conduct aeronautical activities at Lampson Airport (Lake Aero Styling and Repair), and authorized the Chair to sign.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-010-23 - Raymond E. Schaal - Trustee and Helen L. Schaal - Trustee); and approved Purchase Agreement between the County of Lake and Raymond E. Schaal - Trustee and Helen L. Schaal - Trustee for Soda Bay Road Curve Realignment Project and authorized the Chair to sign.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-01-05 - Scully Packing); and approved Purchase Agreement between the County of Lake and Scully Packing for Soda Bay Road Curve Realignment Project, and authorized the Chair to sign.

Approved First Amendment to Memorandum of Understanding (MOU) between the County of Lake and Lake Transit Authority for local public transportation services for CalWorks participants (to provide an additional 75 Unlimited Use Bus Passes per month at the same discounted rate) and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, approved Agreement between the Lake County Redevelopment Agency and Konocti Unified School District for the availability of a school ball field for public use and authorized the Chair to sign.

3. **ITEM A-22 - Advanced from February 5, 2008 - AN ORDINANCE ESTABLISHING A FEE SCHEDULE FOR OUTPATIENT SUBSTANCE ABUSE COUNSELING - (SECOND READING)** - Supervisor Brown offered Ordinance No. 2859, and it was passed by roll call vote (5 ayes).

4. **ITEM A-23 - Advanced from February 5, 2008 - ORDINANCE ESTABLISHING A PRIMA FACIE SPEED LIMIT ZONE ON HAMMOND AVENUE, NICE COUNTY ROAD NO. 306, IN ITS ENTIRETY (35 MPH) - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2860, and it was passed by roll call vote (5 ayes).

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Redevelopment Agency.

5. **ITEM A-17 - CONSIDERATION OF PROPOSED OPTION TO PURCHASE AGREEMENT BETWEEN THE LAKE COUNTY REDEVELOPMENT AGENCY AND ESKATON CLEARLAKE OAKS MANOR, INC. (PROPOSED PURCHASE OF REDEVELOPMENT AGENCY PARCEL BY ESKATON), PROPERTY LOCATED AT 75 LAKE STREET, CLEARLAKE OAKS - (APN 035-231-49)** - Deputy Redevelopment Director Eric Seely presented the staff report.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 12, 2008

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Purchase Agreement between the Lake County Redevelopment Agency and Eskaton Clearlake Oaks Manor, Inc., for the proposed purchase of the Redevelopment Agency parcel by Eskaton, located at 75 Lake Street, Clearlake Oaks, CA (APN 035-231-49), and authorized the Chair to sign.

The Board of Directors of the Lake County Redevelopment Agency adjourned and convened as the Lake County Board of Housing Commissioners.

6. **ITEM A-6 - 9:10 A.M. - CONSIDERATION OF RECOMMENDATION TO APPOINT DEBORAH FIGUEROA AS THE SECTION 8 RESIDENT MEMBER OF THE BOARD OF HOUSING COMMISSIONERS** - Social Services Director Carol Huchingson presented the staff summary.

On motion of Commissioner Farrington and by vote of the Board (5 ayes), appointed Deborah Figueroa as the Section 8 resident member of the Board of Housing Commissioners, for a term expiring December 31, 2009.

The Lake County Board of Housing Commissioners adjourned and reconvened as the Board of Supervisors.

7. **ITEM A-20 - CONSIDERATION OF REQUEST TO PURCHASE MOBILE AUDIO VIDEO (MAV) UNITS AND SOFTWARE FROM WATCHGUARD IN THE AMOUNT OF \$90,213.69, TO BE INSTALLED IN THE SHERIFF'S PURSUIT VEHICLES** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the purchase of Mobile Audio Video (MAV) units and software from Watchguard in the amount of \$90,213.69, to be installed in the Sheriff's pursuit vehicles.

8. **ITEM A-7 - 9:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 9035 NORTH HIGHWAY 29, UPPER LAKE, CA (APN 003-034-13-00 - ONE SHOT MINING COMPANY, LLC)** - Community Development Director Rick Coel, Code Enforcement Manager Voris Brumfield, Code Enforcement Officer Kimberley Heckard, William Wilder and Tom Brackett were sworn in by the Clerk.

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

Mr. Wilder and Mr. Brackett presented testimony.

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 9035 North Highway 29, Upper Lake, California, (APN 003-034-13-00 - One Shot Mining Company, LLC), 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, and authorized the Chair to sign the abatement order.

9. **ITEM A-8 - 9:30 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$14,741.62 - 12881 LAKEVIEW DRIVE, CLEARLAKE OAKS, CA (APN 035-172-13-00 - ERNIE ROBLES)** - Community Development Director Rick Coel, Code Enforcement Manager Voris Brumfield and Code Enforcement Officer Kimberley Heckard were sworn in by the Clerk.

There was no owner representation present.

On motion of Supervisor Rushing and vote of the Board (5 ayes), confirmed the assessment of \$14,741.62 for nuisance abatement on property located at 12881 Lakeview Drive, Clearlake Oaks, CA (APN 035-172-13-00 - Ernie Robles), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

10. **ITEM A-16 - CONSIDERATION OF REQUEST TO AN AMEND AGREEMENT BETWEEN THE COUNTY OF LAKE AND THE HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT FOR THE PURPOSE OF PROVIDING FUNDING FOR THE DEVELOPMENT OF A WATER AND SEWER INFRASTRUCTURE PLAN FOR COYOTE VALLEY** - Chair Robey presented a brief summary of the request.

County Administrative Officer Kelly Cox presented additional background information to the Board.

On motion of Supervisor Brown and by vote of the Board (5 ayes), denied the request to amend the agreement.

11. **ITEM A-18 - CONSIDERATION OF REQUEST TO WAIVE THE FORMAL BIDDING PROCESS AND MAKE A DETERMINATION THAT FORMAL COMPETITIVE BIDDING WOULD PRODUCE NO ECONOMIC BENEFIT TO THE COUNTY (NOTING THAT INFORMAL COMPETITIVE QUOTES HAVE BEEN SOLICITED AND RECEIVED FROM LOCAL VENDORS) AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/ASSISTANT PURCHASING AGENT TO ISSUE PURCHASE ORDER IN THE AMOUNT OF \$295,410.88 TO HOLDER FORD FOR PROCUREMENT OF VEHICLES** - Public Works Director Gerry Shaul and Assistant Public Works Director Water Resources Bob Lossius were present.

Mr. Shaul gave a brief update.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), rescinded the previous Board action taken January 22, 2008, authorizing the Public Works Department to issue purchase order for the procurement of certain vehicles through Kathy Fowler Chevrolet and Holder Ford.

On motion of Supervisor Brown and by vote of the Board (5 ayes), waived the formal bidding process for the vehicles allocated for purchase within Lake County and made the determination that the formal competitive bidding would produce no economic benefit to the County.

On motion of Supervisor Brown and by vote of the Board (5 ayes), authorized the Public Works Director/Assistant Purchasing Agent to issue a purchase order for vehicle procurement to Holder Ford in the amount of \$295,410.88 for procurement of the following vehicles: two (2) 3/4 ton cab-chassis trucks, one (1) 1/2 ton 4x4 pickup, extended cab, ten (10) full size sedans, one (1) mini pickups, extended cab, one (1) 3/4 ton cargo van and one (1) 3/4 ton pickup.

12. **ITEM A-19 - (a) DISCUSSION/CONSIDERATION OF APPROVAL OF PROJECTS FOR PROPOSITION 1B BOND FUNDS; and (b) PROPOSED RESOLUTION TO APPROPRIATE UNANTICIPATED REVENUE IN THE AMOUNT OF \$1,761,667.60 (RECEIVED FROM THE STATE'S PROPOSITION 1B BOND FUNDS) TO BE USED FOR CAPITAL IMPROVEMENTS TO VARIOUS ROADS AND BRIDGES IN LAKE COUNTY** - Public Works Director Gerry Shaul and Assistant Public Works Director Water Resources Bob Lossius were present.

Mr. Shaul gave presented the staff summary.

Supervisor Farrington offered Resolution No. 2008-33, and it was passed by roll call vote (5 ayes).

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 12, 2008

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the list of projects for Proposition 1B Bond Funds.

13. **ITEM A-9 - 10:00 A.M. - PRESENTATION ON THE PROGRESS OF MT. KONOCTI FACILITATION'S ECONOMIC DEVELOPMENT PROGRAM AND CONSIDERATION OF PROPOSED CONTRACT BETWEEN THE COUNTY OF LAKE AND MT. KONOCTI FACILITATION, INC., FORECONOMIC DEVELOPMENT SERVICES** - Mt. Konocti Facilitation Board members Melissa Fulton, Susan Harmon and Sandra West presented this item to the Board.

An amendment was made to the proposed contract, at the request of Supervisor Robey.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the contract between the County of Lake and Mt. Konocti Facilitation, Inc., as amended, for economic development services, and authorized the Chair to sign.

After a brief recess, the Board reconvened at 11:11 a.m.

14. **ITEM A-10 - 10:30 A.M. - PUBLIC HEARING - CONSIDERATION OF A PROPOSED ORDINANCE AMENDING CHAPTER 5 OF THE LAKE COUNTY CODE AND ADOPTING BY REFERENCE THE 2007 CALIFORNIA BUILDING STANDARDS CODE (KNOWN AS THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 1 THROUGH 6, 8 THROUGH 10 AND 12), CONSISTING OF THE 2007 EDITIONS OF THE FOLLOWING: CALIFORNIA BUILDING CODE; CALIFORNIA ELECTRICAL CODE; CALIFORNIA PLUMBING CODE; CALIFORNIA MECHANICAL CODE; CALIFORNIA ENERGY CODE; CALIFORNIA FIRE CODE; CALIFORNIA ADMINISTRATIVE CODE; CALIFORNIA HISTORICAL BUILDING CODE; CALIFORNIA EXISTING BUILDING CODE; 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE, 2006 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE; THE ORDINANCE AMENDMENT FURTHER PROPOSES TO DELETE ARTICLES VI AND VII OF CHAPTER 5 OF THE LAKE COUNTY CODE PERTAINING TO GRADING, WHICH HAS BEEN MOVED TO CHAPTER 30 OF THE LAKE COUNTY CODE; THE PROPOSED ORDINANCE HAS BEEN FOUND TO BE CATEGORICALLY EXEMPT FROM CEQA** - Community Development Director Rick Coel and Chief Building Official David Jezek were present.

Mr. Coel presented clarifications made to the proposed ordinance since the posting of the agenda.

Chair Robey asked is anyone was present wishing to speak. No one was present wishing to speak and the public hearing was closed.

On motion of Supervisor Smith and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only. (Clerk so did).

On motion of Supervisor Smith and by vote of the Board (5 ayes), advanced the ordinance one week to February 19, 2008.

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Air Quality Management District.

15. **ITEM A-11 - 10:45 A.M. - DISCUSSION/CONSIDERATION OF APPROVING LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT DRAFT "ACTION PLAN" IN RESPONSE TO ARB PROGRAM AUDIT OF 2003 AND FINAL REPORT DATED DECEMBER 2007** - Air Pollution Control Officer Bob Reynolds, Deputy Air Pollution Officer Doug Gearhart and Ross Kauper were present.

Mr. Reynolds presented the staff summary.

On motion of Director Farrington and by vote of the Board (5 ayes), approved the action plan in response to the ARB Program Audit of 2003 and final report dated December 2007.

The Board of Directors of the Lake County Air Quality Management District adjourned and reconvened as the Board of Directors of the Lake County Redevelopment Agency.

16. **ITEM A-12 - 11:15 A.M. - CONSIDERATION OF PROPOSED RESOLUTION OPPOSING THE GENERAL RATE INCREASE SOUGHT BY THE CALIFORNIA WATER SERVICE COMPANY AFFECTING THE LUCERNE SERVICE AREA** - County Administrative Analyst Doug Willardson presented the staff summary.

Chair Robey asked if there was anyone present wishing to speak and the following people spoke: Donna Christopher, Craig Bach and Louise Talley. No one else was present

Director Rushing offered Resolution No. 2008-02 (RD), and it was passed by roll call vote (5 ayes).

The Board of Directors of the Lake County Redevelopment Agency adjourned and reconvened as the Board of Supervisors.

17. **ITEM A-13 - 11:30 A.M. - UPDATE BY CODE COMPLIANCE REGARDING THE PROGRESS ON THE ABATEMENT OF NUISANCE LOCATED AT 9100 and 9250 ADOBE CREEK ROAD, KELSEYVILLE, CA (APNs 011-003-51-00 and 011-003-052-00 - CHARLES LAWRENCE FOWLER)** - Code Compliance Manager Voris Brumfield presented a brief summary.

No Board action was taken on this item.

18. **ITEM A-21 - DISCUSSION/CONSIDERATION OF PROPOSED RESOLUTION APPROPRIATING UNANTICIPATED REVENUE IN THE AMOUNT OF \$9,565 (UNCLAIMED RESTITUTION FROM PROBATION) TO ASSIST IN CONSTRUCTION COSTS OF THE NEW MULTI-DISCIPLINARY INTERVIEW CENTER - BUDGET UNIT NO. 2113 - VICTIM-WITNESS** - A modification was made to specify the funds were to be used solely for construction costs.

Supervisor Rushing offered Resolution No. 2008-34, and it was passed by roll call vote (5 ayes).

After lunch recess, the Board reconvened at 1:31 p.m.

19. **ITEM A-14 - Continued from February 5, 2008 - 1:30 P.M. - (a) PRESENTATION BY CH2M HILL REGARDING THEIR PROPOSAL TO PROVIDE ENGINEERING SERVICES FOR WATER SYSTEM IMPROVEMENTS TO SEVERAL WATER SYSTEMS MANAGED BY SPECIAL DISTRICTS; and (b) CONSIDERATION OF PROPOSED AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE COUNTY OF LAKE AND CH2M HILL FOR WATER SYSTEM ENGINEERING SERVICES (INCREASING COMPENSATION BY \$533,000)** - Special Districts Administrator Mark Dellinger and Jerry Dehn were present.

Mr. Dehn gave a power point presentation regarding CH2M Hill's proposal to provide engineering services for water system improvements to several water systems managed by Special Districts.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 12, 2008

Chair Robey asked if anyone was present wishing to speak and the following people spoke: Don Scott, Monte Winters, Kathy Jones, Cherylyn Nutting, Flo Kinder, Helen Mitchum, Joan Moss, Beth Tompkins and Delbert Paul. No one else was present wishing to speak and the public input portion of this item was closed.

After a brief recess, the Board reconvened at 3:40 p.m.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), removed the section regarding Spring Valley, total amount \$96,500, from the proposal and directed staff to work with the CSA #2 Advisory Board to determine a recommendation of either an amendment to the proposal or a new request for proposals process.

There was board consensus to direct the CSA #2 Advisory Board to communicate with the Special Districts Administrative via emails from the Chair of the Advisory Board to Administrator Mark Dellinger, with copies forwarded to all Supervisors. Staff was directed to follow a similar procedure when responding to aforementioned communications.

Staff was directed to continue negotiations with CH2M Hill and return the proposal to the Board in one week, on February 19, 2008.

BACK TO ITEM A-1 - 8:30 A.M. - CLOSED SESSION - (1) CONFERENCE WITH LABOR NEGOTIATOR: (a) COUNTY NEGOTIATORS A. GRANT, R. LAMBERT AND M. PERRY; and (b) EMPLOYEE ORGANIZATION: LCEA, LCCOA, SDA AND DDAA (2) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - TITLE: AGRICULTURAL COMMISSIONER - Chair Robey announced the Board would now return to Closed Session for the reasons stated on the agenda.

The Board returned to Regular Session at 4:46 p.m. with no action taken.

There being no further business, the Board adjourned at 4:46 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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