



MINUTES

COUNTY OF LAKE

BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 19, 2008

The Honorable Board of Supervisors of Lake County, California, met in Regular Session this 19th 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 9:05 a.m. After a moment of silence, Supervisor Rushing led the salute to the flag of the United States of America.

1. **ITEM A-1 - 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.

Approved Minutes of the Board of Supervisors meetings held on February 5 and 12, 2008.

Adopted Presentation of Proclamation designating the week of February 17-23, 2008, as National Engineers Week in Lake County.

Approved Fiscal Year 2008/2009 Budget Manual, Budget Forms and Budget Procedures Calendar.

Adopted Resolution No. 2008-35, expressing support for Lower Lake Parade and Barbeque in the community of Lower Lake (to be held from 11:00 a.m. through 4:00 p.m. on May 25, 2008, from 11:00 a.m.).

Approved the Donation of Vehicle #T0051 (1992 Jimmy S-15) to the Lakeport Senior Center and authorized the Purchasing Agent to sign the necessary documents to complete this donation.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-010-44 Roumiguere Vineyards, a California General Partnership); and approved Purchase Agreement between the County of Lake and Roumiguere Vineyards, a California General Partnership for Soda Bay Road Curve Realignment Project and authorized the Chair to sign.

(A) Adopted Resolution No. 2008-36, approving Final Parcel Map and the signing of the Final Parcel Map (Nyla M. Hilton); and (B) Approved Deferred Improvement Agreement between the County of Lake and Nyla M. Hilton Surviving Joint Tenant) or Successors in Interest to construct future land development improvements, and authorized the Chair to sign.

Approved Child Protective Services (CPS) Self-Assessment for the Lake County Department of Social Services.

Adopted Resolution No. 2008-37, authorizing the Chairman of the Board to approve and direct the Tax Collector to sell, at sealed bid sale, tax defaulted property which is subject to the power to sell in accordance with Chapter 7 of Part 6 of Division 1, of the California Revenue and Taxation Code and approving sales below minimum price on specified cases.

Sitting as the Board of Directors of the Lake County Sanitation District, approved Sewer Mainline Extension Agreement between the Lake County Sanitation District and Richard Margulis, APNs 041-101-08, 041-101-09 and 041-101-10 (4436 and 4456 Cedar Avenue and 15612 40th Street, Clearlake), and authorized the Chair to sign.

2. **CITIZEN'S INPUT** - Gabrielle Fellows spoke regarding the need for a four year college in Lake County.

Tom Jordan presented a Proclamation of Appreciation to Chair Robey on behalf of Lake County First Five.

3. **ITEM A-15 - DISCUSSION/CONSIDERATION OF REQUEST FROM LAKE FAMILY RESOURCE CENTER FOR WAIVER OF ALL COUNTY FEES THAT ARE REQUIRED FOR THE CONSTRUCTION OF A DOMESTIC VIOLENCE SHELTER AND FAMILY RESOURCE CENTER TO BE LOCATED IN THE KELSEYVILLE AREA** - Supervisor Brown gave a brief introduction.

Lake Family Resource Center Executive Officer Gloria Flaherty spoke.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the waiver of all County permit fees that are required for the construction of a domestic violence shelter and family resource center to be located in the Kelseyville area, and authorized the Chair to sign a letter so stating. (The waiver does not include water and sewer capacity expansion or connection fees).

4. **ITEM A-5 - 9:15 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$12,549.69 - 7625 GLENBROOK ROAD, COBB, CA (APN 011-039-04-00 - BRIAN BARNHART and NICOLE BARNHART)** - Community Development Director Rick Coel, Code Enforcement Manager Voris Brumfield, Code Enforcement Officer Kim Heckard, Brian Barnhart and Robert Serner were sworn in by the Clerk.

Ms. Heckard gave a power point presentation on the abatement actions taken by the County.

Mr. Barnhart and Mr. Serner gave testimony.

On motion of Supervisor Brown and by vote of the Board (5 ayes), confirmed the assessment of \$12,549.69 for nuisance abatement on property located at 7625 Glenbrook Road, Cobb, California (APN 011-039-04-00 - Brian Barnhart and Nicole Barnhart) and directed the Enforcement Official to prepare and have recorded in the office of the Lake County Recorder, A Notice of Lien in the amount of \$12,549.69, pursuant to the Lake County Ordinance Code, Chapter 13, Section 13-10.

The Board of Supervisors adjourned and convened as the Board of Directors of IHSS Public Authority.

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5. **ITEM A-16 - CONSIDERATION OF PROPOSED RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CALIFORNIA UNITED HOMECARE WORKERS UNION AND THE LAKE COUNTY IHSS PUBLIC AUTHORITY** - Social Services Director Carol Huchingson, Adult Services Program Director Michelle Dibble and Agency Negotiator Fran Buchanan were present.
- Ms. Buchanan gave a brief summary on the proposed memorandum of understanding.
- Chair Robey asked if anyone was present wishing to speak and David Smith spoke. No one else was present wishing to speak and the public input portion of this item was closed.
- Director Rushing offered Resolution No. 2008-38, adopting a Memorandum of Understanding by and between the California United Homecare Workers Union and the Lake County IHSS Public Authority, and it was passed by roll call vote (4 ayes, Supervisor Brown NO).
- The Board of Directors of IHSS Public Authority adjourned and reconvened as the Board of Supervisors.
6. **ITEM A-6 - 9:20 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$6,746.35 - 11420 PINGREE ROAD, CLEARLAKE OAKS, CA (APN 006-028-08-00 - LAKEVIEW FAMILY PROPERTIES, LLC)** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), continued this item two weeks to March 4, 2008, 9:45 a.m.
7. **ITEM A-7 - 9:25 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$4,204.64 - 11300 W WIDGEON WAY, CLEARLAKE OAKS, CA (APN 006-028-11-00 - LAKEVIEW FAMILY PROPERTIES, LLC)** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), continued this item two weeks to March 4, 2008, 9:50 a.m.
8. **ITEM A-8 - 9:30 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$2,221.07 - 11458 W WIDGEON WAY, CLEARLAKE OAKS, CA (APN 035-311-07-00 - LAKEVIEW FAMILY PROPERTIES, LLC)** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), continued this item two weeks to March 4, 2008, 10:00 a.m.
9. **ITEM A-9 - 10:00 A.M. - DISCUSSION/CONSIDERATION OF REQUEST TO INSTALL WEAPONS SCREENING EQUIPMENT IN THE LAKE COUNTY COURTHOUSE AND TO PROVIDE STAFFING TO OPERATE THE EQUIPMENT (ALL EXPENSES TO BE PAID BY SUPERIOR COURT)** - Presiding Judge Arthur Mann, Superior Court Judge Rick Martin, Superior Court Judge Dave Herrick, Administrative Office of the Courts Security Supervisor Malcolm Franklin, Rob Born, Assistant Court Executive Officer Kip Rodda, and Court Executive Officer Mary Smith were present.
- After a brief introduction by Ms. Smith, Mr. Franklin presented a summary to the Board.
- Mr. Born gave a power point presentation regarding potential threats to building security.
- Chair Robey asked if anyone was present wishing to speak and the following people spoke: Colleen Waner, Jason Webster, and Edward Fisher. No one else was present wishing to speak and the public input portion of this item was closed.
- On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Brown NO), approved installation of weapons screening equipment in the Lake County Courthouse and to provide staffing to operate the equipment (all expenses to be paid by Superior Court).
- After a brief recess, the Board reconvened at 11:55 a.m.
10. **ITEM A-11 - 11:10 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF FEBRUARY 17-23, 2008, AS NATIONAL ENGINEERS WEEK IN LAKE COUNTY** - Supervisor Rushing presented the Proclamation to Engineer's Association President Tom Hunt, who spoke.
- Public Works Director Gerry Shaul also spoke.
11. **ITEM A-10 - 11:00 A.M. - PRESENTATION OF CALIFORNIA CHIP SEAL ASSOCIATION'S "2007 AWARD OF EXCELLENCE IN CONTRACTING" TO THE COUNTY OF LAKE** - Public Works Director Gerry Shaul and Road Superintendent Steve Stangland were present.
- Mr. Shaul gave a brief summary.
- Mr. Stangland read the award into the record and presented it to the Board of Supervisors.
12. **ITEM A-13 - UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 25, 2007, REGARDING WATER DAMAGE REPAIRS AT THE HILL ROAD CORRECTIONAL FACILITY AND RECOMMENDATION THAT THE EMERGENCY ORDER BE TERMINATED -**
- No Board action was taken on this item, thereby terminating the state of emergency.
13. **ITEM A-14 - UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 11, 2007, REGARDING MT. HANNAH WATER TANK REPLACEMENT** - On motion of Supervisor Brown and by vote of the Board (5 ayes), determined the state of emergency still exists.
14. **ITEM A-18 - Advanced from February 12, 2008 - 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 - (SECOND READING)** - Supervisor Farrington offered Ordinance No. 2861, and it was passed by roll call vote (5 ayes).

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15. **ITEM A-12 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - Chair Robey announced the Board would hold a joint meeting with the Clearlake City Council, Thursday, March 6, 2008, 9:30 a.m., in the Clearlake City Council Chambers.
16. **ITEM A-17 - Continued from February 12, 2008 - CONSIDERATION OF PROPOSED AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE COUNTY OF LAKE AND CH2M HILL FOR WATER SYSTEM ENGINEERING SERVICES FOR NORTH LAKEPORT WATER (CSA #21) AND KONO TAYEE (CSA #13)** - Special Districts Administrator Mark Dellinger presented the staff summary.
- On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Brown NO), approved Amendment No. 2 to the agreement between the County of Lake and CH2M Hill for water system engineering services for North Lakeport Water (CSA #21) and Kono Tayee (CSA #13), and authorized the Chair to sign.
17. **ITEM A-19 - 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. Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9): Leuzinger v. County of Lake, et al. 3. Public Employee Performance Evaluation: Title: Registrar of Voters** - Chair Robey announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board returned to Regular Session with no action taken.

There being no further business, the Board adjourned at 1:24 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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