



# MINUTES

## COUNTY OF LAKE

### BOARD OF SUPERVISORS

#### OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JULY 1, 2008

The Honorable Board of Supervisors of Lake County, California, met in Regular Session this 1<sup>st</sup> day of July, 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 9:07 a.m. After a moment of silence, County Counsel Anita Grant 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-16.

Approved Minutes of the Board of Supervisors meeting held on June 17, 2008.

Adopted Proclamation recognizing July as Parks and Recreation Month in Lake County.

Adopted Proclamation commending North Coast Opportunities for their services to the community.

Approved the request and ordered consolidation of the City of Clearlake's election with the General Municipal Election to be held on November 4, 2008, for the purpose of electing three City Council Members.

Approved Contract between the County of Lake and Bettina Woelbling as Coordinator of the Families for Literacy Program in the amount of \$14,640 and authorized the Chair to sign.

Approved Contract between the County of Lake and Drug Abuse Alternatives Center Turning Point Residential Services for provision of residential treatment for Lake County residents experiencing alcohol or drug related problems for Fiscal Year 2008/2009, not to exceed \$20,000 and authorized the Chair to sign.

Approved Contract between the County of Lake and Women's Recovery Services for provision of residential treatment services for women experiencing alcohol or drug related problems for Lake County Residents for Fiscal Year 2008/2009, not to exceed \$20,000 and authorized the Chair to sign.

Approved Contract between the County of Lake and Olga Segal, M.D. for specialty mental health services in the amount of \$19,600 and authorized the Chair to sign.

Approved Agreement between the County of Lake and Kings View Corporation for telepsychiatry services for Fiscal Year 2008/2009, in the amount of \$55,000 and authorized the Chair to sign.

Approved Agreement between the County of Lake and Mary McMillan for counseling services to youth detained at the County's Juvenile Hall in the amount of \$18,200 and authorized the Chair to sign.

Approved Second Amendment to the Agreement between the County of Lake and Christopher "Kit" Jones for specialty mental health services for Fiscal Year 2007/2008 (increasing the original compensation ceiling by \$4,000), and authorized the Chair to sign.

Approved Engineering and Inspection Agreement between County of Lake and Tony Ford for review of plans and specifications and inspection of work for a Use Permit (UP 07-08, Nice Self Storage), located at 2345 East Highway 20, Nice, and authorized the Chair to sign.

Waived the formal bidding process and made a determination that competitive bidding would produce no economic benefit to the County and authorized the Public Works Director/Assistant Purchasing Agent to issue a purchase order for \$173,627.58 to Dietz Equipment Sales for reconditioning and outfitting three T-600 Kenworth trucks (one with a water tank system and two with 10-yard dump systems).

Approved Amendment Four to Agreement between the County of Lake and Pavement Engineering, Inc. for engineering services for the Big Valley Rancheria Transportation Project (an increase of \$15,396.40), and authorized the Chair to sign.

(a) Approved Interconnection Agreement between the County of Lake and PG&E for connection of Solar Power Facilities to PG&E Distribution System at Hill Road Jail, Northwest Treatment Plant and Southeast Treatment Plant; and (b) Approved "Authorization to Receive Customer Information or Act on Customer's Behalf" and authorized staff to sign all necessary documents.

Sitting as the Board of Directors of the Lake County Sanitation District, approved Lease Agreement between the Lake County Sanitation District (LACOSAN) and Northern California Power Agency to allow use, occupancy and access of LACOSAN property for a solar energy facility and authorized the Chair to sign.

2. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA -**

**Extra #1 - Consideration of proposed resolution authorizing a loan of available County funds in the amount of \$64,000 to the County Service Area Revolving Fund for transfer to County Service Area #22 - Mt. Hannah** - On motion of Supervisor Smith and by vote of the Board (5 ayes), 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 reason:

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A large portion of the cost of replacing the Mt. Hannah water tank is being funded by the State. After the posting of the July 1, 2008 agenda, the Administrative Office was informed that these payments will be made on a reimbursement basis only. Payments are currently due and the Mt. Hannah CSA does not have reserves or other funding sources to draw from to provide this interim financing.

Supervisor Brown offered Resolution No. 2008-125, and it was passed by roll call vote (5 ayes).

**Extra #2 - Update by Incident Commander Tom Heintz regarding the four wildfires in the Mendocino National Forest -** On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

Deputy Sheriff Sergeant Gary Basor and Office of Emergency Services Coordinator Jerry Wilson were present.

Incident Commander Tom Heintz presented the Board with an update on four wildfires in the Mendocino National Forest.

No Board action was taken on this item.

**3. ITEM A-4 - Current Construction Projects - Contract Change Orders:**

**Change Order No. 4 - Animal Care Facility, Phase 2** - This Change order addresses extra work requested by the County.

Public Works Director Brent Siemer was present.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Change Order No. 4, for an increase of \$13,529.05, REM Construction, for Animal Care Facility, Phase 2, and authorized the Chair to sign.

**4. ITEM A-11 - Consideration of proposed Agreement between the County of Lake and TRC Engineering, Inc. for engineering services for the repair of four storm damage sites on Morgan Valley Road in the amount of \$649,748 -** Public Works Director Brent Siemer was present.

On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Rushing ABSTAIN), approved the Agreement between the County of Lake and TRC Engineering, Inc. for engineering services for the repair of four storm damage sites on Morgan Valley Road in the amount of \$649,748 and authorized the Chair to sign.

**5. ITEM A-13 - Continued from June 24, 2008 - Consideration of request to approve Memorandum of Understanding between the County of Lake and the Big Valley Band of Pomo Indians and the Bureau of Indian Affairs placing certain designated County roads and bridges in the Indian Reservation Road (IRR) Program -** Public Works Director Brent Siemer was present.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Memorandum of Understanding between the County of Lake and the Big Valley Band of Pomo Indians and the Bureau of Indian Affairs placing certain designated County roads and bridges in the Indian Reservation Road (IRR) Program and authorized the Chair to sign.

**CITIZEN'S INPUT** - Tom Slaight spoke regarding local air quality.

**6. ITEM A-5 - 9:15 A.M. - Presentation of Proclamation commending North Coast Opportunities for their services to the community -** Chair Robey read the Proclamation into the record.

**7. ITEM A-6 - 9:20 A.M. - Presentation of Proclamation recognizing July as Parks and Recreation Month in Lake County -** Supervisor Rushing read the Proclamation into the record and presented it to Public Services Director Kim Clymire, who spoke.

**8. ITEM A-7 - 9:30 A.M. - Discussion/consideration of request for Board direction regarding Lake County comments to the California Department of Food and Agriculture for AgVision 2030 -** Administrative Analyst Terre Logsdon presented the staff summary.

Chair Robey asked if there was anyone present wishing to speak and the following people spoke: Chuck March, Victoria Brandon, Susan Jen, Steve Hajik, Phil Murphy, Anna Ravenwood, Diane Henderson, Ken Barr, Joanne Sacado and Suzanne LaFaver. No one else was present wishing to speak and the public input portion of this item was closed.

The Board directed staff to submit the the Agricultural Resources Element of the Lake County General Plan to the California Department of Food and Agriculture for the AgVision 2030.

**9. ITEM A-8 - Continued from June 17, 2008 - 10:30 A.M. - PUBLIC HEARING - Planning Commission's recommendation for denial of the following General Plan Amendment proposal (GPAP 06-09) and Rezone (RZ 06-13): GPAP 06-09 and RZ 06-13 proposing a General Plan Amendment of a 2-acre lakefront property from Commercial Resort to Suburban Residential and consideration of a proposed Ordinance rezoning lands from "CR-FF" (Commercial Resort-Floodway Fringe) to "R1-FF" (Single Family Residential-Floodway Fringe) for the Widgeon Bay/Sunset Point Mobile Home Park, proposed for Ben Lawson; project is located at 11967 and 12037 East State Highway 20, Clearlake Oaks, CA (APNs 035-092-01 and 035-284-10) -** Community Development Director Rick Coel, Ben Lawson and Brian Smith were present.

Supervisor Farrington requested a continuance of two weeks to July 15, 2008, to allow for receipt of comments from CalTrans.

Mr. Lawson spoke.

Chair Robey opened the public hearing and the following people spoke: Brian Smith, Louise Talley, Gary Lewis, Barry Parkinson and Victoria Brandon.

This public hearing was continued two weeks to July 18, 2008, at 11:45 a.m.

**10. ITEM A-9 - 11:15 A.M. - Discussion/consideration of: (a) Amendment No. 2 to Contract between the County of Lake and Lake County Waste Solutions, Inc. to increase rates of solid waste handling and recycling services; and (b) Amendment No. 6 to Contract between the County of Lake and South Lake Refuse-Recycling, LLC to increase rates of solid waste handling and recycling services -** Public Services Director Kim Clymire and Deputy Public Services Director Caroline Chavez were present.

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Mr. Clymire presented a brief summary.

Chair Robey asked if there was anyone present wishing to speak and Bruce McCracken spoke. No one else was present wishing to speak and the public input portion of this item was closed.

Supervisor Brown was absent at 12:07 p.m. and returned at 12:13 p.m.

(a) On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved Amendment No. 2 to Contract between County of Lake and Lake County Waste Solutions, Inc., to increase rates of solid waste handling and recycling services and authorized the Chair to sign.

(b) On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved Amendment No. 6 to Contract between the County of Lake and South Lake Refuse-Recycling, LLC., to increase rates of solid waste handling and recycling services and authorized the Chair to sign.

11. **ITEM A-12 - Update on emergency action taken on September 11, 2007, regarding Mt. Hannah water tank replacement** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Brown ABSENT), found the emergency still exists.

12. **ITEM A-14 - Consideration of request to temporarily amend position allocation in Information Technology Department and approve interim appointment to the position of Deputy Information Technology Director** - Supervisor Smith offered Resolution No. 2008-126, amending Resolution No. 2008-114 establishing proposed Budget Position Allocations for Fiscal Year 2008-2009, Budget Unit No. 1904, Information Technology, and it was passed by roll call vote (5 ayes).

On motion of Supervisor Smith and by unanimous vote of the Board (5 ayes), appointed Shane French Deputy Information Technology Director (5 ayes).

13. **ITEM A-15 - 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 - Anticipated Litigation - (a) Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9: One Potential Case** - 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 12:30 p.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Mireya G. Turner  
Assistant Clerk of the Board