

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 28, 2008

The Honorable Board of Supervisors of Lake County, California, met in regular session this 28th day of October 2008, there being present Supervisors Jeff Smith, Denise Rushing, Anthony Farrington, Rob Brown, 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 9:04 a.m. by Chair Robey. Following a moment of silence, Administrative Officer Kelly Cox 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-7, with the exception of C-2, which will be taken up immediately following the Consent Agenda.

Adopted Proclamation designating the month of November 2008, as National Hospice Month in Lake County.

Approved Agreement between the County of Lake and Lakeport Senior Center, Inc. for the purpose of providing funding to make repairs to the Lakeport Senior Center Building (roof repairs; \$10,000), and authorized the Chair to sign.

Approved Amendments to Property Program Memorandum of Understanding (MOU) between the County of Lake and SCAC-EIA and authorized the Chair to sign.

Approved advanced step hiring of a Deputy Director of Mental Health - Fiscal Administration Charles Fernandez due to applicant's extraordinary qualifications (5th step salary range).

Adopted Resolution No. 2008-188 amending Resolution No. 2006-229 establishing an underground utility district, Island Drive, Clearlake Oaks area (revising installation and construction schedule and changes in the Rule 20 regulations).

Adopted Resolution No. 2008-189 authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated June 24, 2008 (construction of drainage improvements at Lampson Airport - Phase 2).

2. **CONSENT AGENDA C-2 - Approve Minutes of the Board of Supervisors meeting held on October 14 and 21, 2008** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Minutes of the Board of Supervisors meeting held on October 21, 2008.

The Minutes of the Board of Supervisors meeting held on October 14, 2008 were carried over one week to November 4, 2008.

3. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Eric Wood presented one canine currently available for adoption.

CITIZEN'S INPUT - Aqeela El-Amin Bakheit and Rick Mayo presented Chair Robey with an award of accomplishment on behalf of the NAACP.

Phil Murphy spoke regarding an advisory committee for genetically engineered organisms.

Lenny Mathews spoke regarding campaign mailers.

Dante DeAmici spoke regarding Channel 8 television coverage.

Karen Turcotee thanked the Board for their support of the Annual EcoArts: Lake County Sculpture Walk in the Middletown County Trailside Park.

4. **ITEM A-5 - 9:15 A.M. - (a) PUBLIC HEARING - Protest Hearing for the Proposed Establishment of County Service Area (CSA) #23 - "Zone P" (Road Benefit Zone - Clear Lake Keys), and imposing of assessments** - Public Works Director Brent Siemer gave a brief summary.

Chair Robey opened the public hearing and the following people spoke: Janet Maile and Sandra Benson. No one else was present wishing to speak and the public hearing was closed.

The resolution with the final ballot totals will come before the Board for consideration on November 18, 2008.

5. **ITEM A-6 - 9:30 A.M. - Presentation of Proclamation designating the month of November 2008, as National Hospice Month in Lake County** - Supervisor Rushing read the Proclamation into the record and presented it to Lake County Hospice Board Chair Dana Kearney, who spoke. Hospice staff members and counselors were present.

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Sanitation District.

6. **ITEM A-7 - 9:35 A.M. - Discussion/consideration of restructuring Lake County Sanitation (LACOSAN) boundaries** - Special Districts Administrator Mark Dellinger was present.

Chair Robey presented this item.

No Board action was taken on this item.

The Board of Directors of the Lake County Sanitation District and convened as the Board of Directors of the Lake County Redevelopment Agency.

7. **ITEM A-8 - 9:45 A.M. - PUBLIC HEARING - Discussion/review of the Redevelopment Plan, the Corresponding Implementation Plan and the evaluation of the progress for each redevelopment project within the Northshore Project Area** - Deputy Redevelopment Director Eric Seely and Administrative Analyst Doug Willardson were present.

Mr. Seely presented the staff report to the Board.

Chair Robey opened the public hearing and the following people spoke: Mary Jane Fagalde and Moe Fitch. No one else was present wishing to speak and the public hearing was closed.

No Board action was taken on this item.

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

8. **ITEM A-9 - 10:00 A.M. - Consideration of request to authorize issuance of request for proposals for preliminary engineering design and environmental documentation for the proposed Anderson Springs Sewer Collection System Project** - Special Districts Administrator Mark Dellinger gave a brief summary.

Chair Robey asked if anyone was present wishing to speak and the following people spoke: Meriel Madrano and Joan Clay. No one else was present wishing to speak and the public input portion of this item was closed.

The gavel was passed to Supervisor Rushing.

On motion of Supervisor Robey and by vote of the Board (5 ayes), authorized the issuance of request for proposals for preliminary engineering design and environmental documentation for the proposed Anderson Springs Sewer Collection System Project.

The gavel was returned to Chair Robey.

9. **ITEM A-10 - Continued from May 6, June 3, July 15, August 12, and September 23, 2008 - 10:15 A.M. - PUBLIC HEARING - Appeal of Ronald Jacobs (AB 08-03 of the Planning Commission's decision to grant the appeal of Erik Thorsen, Trustee, Edgar F. Thorsen Trust, regarding the issuance of a Lakebed Encroachment Permit and supporting California Environmental Quality Act (CEQA) Notice of Exemption to Ronald Jacobs for the construction of pier/covered deck/gangway/suspended platform/covered electric boat lift; project located at 1925 Westlake Drive, CA (APN 044-171-18 - Erik Thorsen, Trustee, Edgar F. Thorsen Trust) - (The attorney representing the Ron Jacobs has requested a continuance of this item)** - This item was continued to January 20, 2009.

After a brief recess, the Board reconvened as 10:49 a.m.

- BACK TO ITEM A-10 - Continued from May 6, June 3, July 15, August 12, and September 23, 2008 - 10:15 A.M. - PUBLIC HEARING - Appeal of Ronald Jacobs (AB 08-03 of the Planning Commission's decision to grant the appeal of Erik Thorsen, Trustee, Edgar F. Thorsen Trust, regarding the issuance of a Lakebed Encroachment Permit and supporting California Environmental Quality Act (CEQA) Notice of Exemption to Ronald Jacobs for the construction of pier/covered deck/gangway/suspended platform/covered electric boat lift; project located at 1925 Westlake Drive, CA (APN 044-171-18 - Erik Thorsen, Trustee, Edgar F. Thorsen Trust) - (The attorney representing the Ron Jacobs has requested a continuance of this item)** - Chair Robey announced this item would be continued to January 20, 2009, at 11 a.m.

10. **ITEM A-11 - 10:20 A.M. - Consideration of proposed Resolution electing to receive funding under the reauthorized Secured Rural Schools Program and establishing the allocation of said funding received in Fiscal Year 2008/2009 -**

Deputy County Administrative Officer Jeff Rein was present.

Chair Robey asked if anyone was present wishing to speak and Lake County Office of Education Superintendent Dave Geck spoke. No one else was present wishing to speak and the public input portion of this item was closed.

Supervisor Brown offered Resolution No. 2008-190 and it was passed by roll call vote (5 ayes).

By consensus, the Board directed staff to draft a letter to the RAC Committee, requesting they consider the Mt. Konocti acquisition and quagga mussel projects for possible funding.

11. **ITEM A-13 - Discussion/consideration of request from Mediacom California LLC to postpone the November 18, 2008, Assessment Appeal Hearing and reschedule the hearing for March 18, 2009, at 11:00 a.m.** - A typographical error was noted on the memorandum regarding the requested date of continuance.

On motion of Supervisor Brown and by vote of the Board (5 ayes), continued this item to March 17, 2009, at 11:00 a.m.

12. **ITEM A-14 - Consideration of recommendation for award of Bid No. 09-08 for County Service Area (CSA) #13 - Kono Tayee Tank Site #2 (water storage tank replacement)** - The Special Districts Administration requested this item be pulled from the agenda in a memo dated October 24, 2008, for the reason stated below:

The lowest responsive bid was received in the amount of \$109,918. This amount is below the \$125,000 amount requiring Board award.

No Board action was taken on this item.

The Board of Supervisors adjourned and reconvened as the Board of Directors of the Lake County Sanitation District.

13. **ITEM A-15 - Discussion/consideration of Consulting Agreement between the Lake County Sanitation District and CH2MHill for professional services for improvements of Control System for the Geysers Effluent Pump Station in the amount of \$68,000** - Special Districts Administrator Mark Dellinger was present.

On motion of Director Brown and by vote of the Board (5 ayes), approved the Consulting Agreement between the Lake County Sanitation District and CH2MHill for professional services for improvements of Control System for the Geysers Effluent Pump Station in the amount of \$68,000, and authorized the Chair to sign.

14. **ITEM A-16 - Discussion/consideration of Consulting Agreement between the Lake County Sanitation District and ENS for legislative advocacy services for improvements at Kelseyville Wastewater Treatment Facility in an amount not to exceed \$60,000** - Special Districts Administrator Mark Dellinger presented the staff report.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Brown NO), approved the Consulting Agreement between the Lake County Sanitation District and ENS for legislative advocacy services for improvements at Kelseyville Wastewater Treatment Facility in an amount not to exceed \$60,000, and authorized the Chair to sign.

15. **ITEM A-17 - Discussion/consideration of request for funding road drainage improvements for County Service Area (CSA) #23 - Zone F - Piner Court** - Public Works Director Brent Siemer presented the staff summary.

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County Administrative Officer Kelly Cox suggested the funding be secured by utilizing a portion of the existing general fund budget appropriation from the Kelseyville State Street Improvement Project and backfilling the State Street project with unanticipated revenue received by the Road Division from the federal government through the Secure Rural Schools Program which the Board discussed under Item A-11 earlier in the day.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved request for funding road drainage improvements for County Service Area (CSA) #23, as recommended by the County Administrative Officer.

16. **ITEM A-18 - 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: Mental Health Director** - 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 12:30 p.m. with no action taken.

There being no further business, the Board adjourned at 12:30 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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