



MINUTES COUNTY OF LAKE BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD AUGUST 25, 2009

The Honorable Board of Supervisors of Lake County, California, met in regular session this 25th day of August, 2009, there being present Supervisors Jim Comstock, Jeff Smith, Anthony Farrington, Rob Brown and Denise Rushing, Deputy Administrative Officer Jeff Rein, Deputy Administrative Officer Debra Sommerfield, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:01 a.m. by Chair Rushing, following a moment of silence, Jacob Casey 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-5.

(a) Adopted Resolution No. 2009-146, accepting donation (\$10,000), from Alta Rock Energy, Inc. for the Anderson Springs Wastewater System Project; and

(b) Adopt Resolution No. 2009-147, appropriating unanticipated revenue (received from a donation in the amount of \$10,000), to be used exclusively toward the Anderson Springs Wastewater Collection System Project, Budget Unit No. 1918 - Geothermal Resource Royalties.

Approved Amendment No. Three to Agreement between the County of Lake and SWCA Environmental Consultants for the preparation of an Archaeological Resources Management Report, in an additional amount of \$3,925 (for a total cost of \$34,881), and authorized the Chair to sign.

Adopt Resolution No. 2009-148, approving Agreement 09-0311 with the State of California; Department of Food and Agriculture and authorizing execution and signature for pest exclusion activities for Fiscal Year 2009/2010.

Adopt Resolution No. 2009-149, authorizing the Grant Project, Lake County DUI Intensive Response Team.

Approve out of state travel for Chief Probation Officer Meredith Helton to Huntsville, Texas, from August 30, 2009 through September 4, 2009, to attend the National Institute of Corrections' Executive Orientation Program (all costs to be reimbursed by the National Institute of Corrections).

2. **CITIZEN'S INPUT** - Mr. Jacob Casey stated the he is trying to earn his Boy Scout Merit Badge and would like to volunteer his time to help clean-up the algae in Clear Lake.

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

Consideration of proposed budget transfer in the amount of \$100,000, to cover close-out costs of the Main Street Pavement Rehabilitation and Accessibility Improvements Project (from Gunn Street to First Street, Kelseyville) - Public Works Director Brent Siemer was present and explained that a change order for this project has been submitted and is on today's agenda for Board consideration (Item A-4) . After the submittal of the change order, the department became aware that insufficient funds were budgeted to cover the close-out costs of this project and final payment to the contractor. In order to cover the close-out costs and final payment for this project, the proposed budget transfer appropriating the necessary funding needs to be approved by the Board.

The Board made a determination that an emergency situation **does not** exists and no action was taken on the budget transfer.

The proposed budget transfer was continued to September 1, 2009, for further consideration.

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

Contract Change Order No. 3 - Main Street Pavement Rehabilitation and Accessibility Improvements Project - This change order addresses the close-out costs and final payment to the contractor.

Public Works Director Brent Siemer was present.

Since the Board did not approve the budget transfer (Extra #1), this item was also continued to September 1, 2009, for further consideration.

5. **ITEM A-11 - Discussion/consideration of proposed Contract between the County of Lake and Modesto Residential Living Center, LLC for residential care services for Fiscal Year 2009/2010 (maximum contract amount is \$73,000)** - Mental Health Director Kristy Kelly was present and gave a brief overview.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Modesto Residential Living Center, LLC for residential care services for Fiscal Year 2009/2010 (maximum contract amount is \$73,000), and authorized the Chair to sign.

6. **ITEM A-12 - Discussion/consideration of request to authorize Mental Health Director to sign the Letter of Renewal to the annual Agreement between the County of Lake and Konocti Senior Support, Inc for specialty mental health services for Fiscal Year 2009/2010, in the amount of \$14,000** - Mental Health Director Kristy Kelly was present and gave a brief overview.

On motion of Supervisor Smith and by vote of the Board (5 ayes), authorized the Mental Health Director to sign the Letter of Renewal to the annual Agreement between the County of Lake and Konocti Senior Support, Inc for specialty mental health services for Fiscal Year 2009/2010, in the amount of \$14,000.

7. **ITEM A-13 - Discussion/consideration of request to authorize Mental Health Director to sign the Letter of Renewal to the annual Agreement between the County of Lake and Konocti Senior Support, Inc for specialty mental health services for Fiscal Year 2009/2010, in the amount of \$42,000** - Mental Health Director Kristy Kelly was present and gave a brief overview.

On motion of Supervisor Smith and by vote of the Board (5 ayes), authorized the Mental Health Director to sign the Letter of Renewal to the annual Agreement between the County of Lake and Konocti Senior Support, Inc for specialty mental health services for Fiscal Year 2009/2010, in the amount of \$42,000.

8. **ITEM A-14 - Discussion/consideration of proposed Contract between the County of Lake and Olga Segal, M.D. for specialty mental health services for Fiscal Year 2009/2010 (maximum contract amount is \$78,000)** - Mental Health Director Kristy Kelly was present and gave a brief overview.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Olga Segal, M.D. for specialty mental health services for Fiscal Year 2009/2010 (maximum contract amount is \$78,000), and authorized the Chair to sign.

The Board of Supervisors adjourned and convened as the Lake County Local Board of Equalization.

Chair Rushing passed the gavel to Lake County Local Board of Equalization Chair Farrington.

9. **ITEM A-5 - 9:15 A.M. - Assessment Appeal Hearings:**

Sidney and Geraldine Lipton - Application No. 2008-251 - Assessment Parcel No. 144-171-050; located at 21504 Yankee Valley Road, Hidden Valley, CA - Chief Deputy Assessor-Recorder Jim Campbell was present.

Neither the property owner nor a representative was present.

On motion of Member Brown and by vote of the Board (5 ayes), denied the appeal of Sidney and Geraldine Lipton without prejudice.

James Collins - Application No. 2008-227 - Assessment Parcel No. 035-852-060; located at 625 Ketch Court, Clearlake Oaks, CA - Chair Farrington announced the Board received a request to withdraw the appeal from Mr. James Collins.

No action was taken on this item.

The Lake County Local Board of Equalization adjourned and reconvened as the Board of Supervisors.

The gavel was passed to Chair Rushing.

After a short recess, the Board reconvened at 9:45 a.m.

10. **ITEM A-15 - Discussion/consideration of proposed Ordinance amending Chapter 6 of the Lake County Code regarding the County's Emergency Organization Management** - Sheriff Rodney Mitchell was present.

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

On motion of Supervisor Brown and by vote of the Board (5 ayes), advanced the ordinance one week to September 1, 2009.

(After this item was completed, it was determined by County Counsel Anita Grant that amendments needed to be made to the ordinance. Later in the day, the Board return to this item in order to consider the proposed amendments).

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

11. **ITEM A-6 - 10:10 A.M. - Consideration of request for Board support of request for State designation of Highway 53 as a Veterans Memorial Highway** - Representing the Clearlake Rotary Club Mr. Carl Webb and Mr. William Cornelison were present and each gave a brief overview of the request. One traditional method to honor veterans is the designation of a highway, bridge or other public work as a Veterans Memorial. The Clearlake Rotary Club would like to request the State to designate State Highway 53 in its entirety from the junction with Highway 29 in Lower Lake to the junction with Highway 20. Assembly member Wes Chesbro has indicated through his staff that he would be willing to introduce a bill in the next session of the legislature to accomplish the dedication. The Rotary Club has agreed to pay the cost associated with the signs and their installation.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the request in concept supporting the designation of State Highway 53 as a Veterans Memorial Highway and directed staff to prepare a proclamation declaring support of the designation of State Highway 53 as a Veterans Memorial Highway to be placed on the September 1, 2009, agenda for adoption.

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

12. **ITEM A-7 - 10:15 A.M. - PUBLIC HEARING - Purchase of real property consisting of land located at 3812, 3792, 3773 and 3752 Country Club Drive, 6545 and 6535 Twelfth Avenue, Lucerne, CA (APNs 034-867-01, 034-867-02, 034-867-03, 034-867-04, 034-867-05, 034-867-06 and 034-867-07), the agreed purchase price is \$150,000 and the seller is Lucerne Christian Conference Center** - Deputy Redevelopment Director Eric Seely was present and provided an overview of the proposed purchase.

There was consensus by the Board to review all County owned undeveloped property every five years to determine if the properties are going to be developed or if they should be sold.

The Board asked that a five year property review plan be developed and be placed on the agenda at a later date for further consideration.

Chair Rushing opened the public hearing and Mr. John Fetchko spoke. No one else was present wishing to speak and the public hearing was closed.

Director Farrington offered Resolution No. 2009-150 (authorizing the purchase of real property consisting of land located at 3812, 3792, 3773 and 3752 Country Club Drive, 6545 and 6535 Twelfth Avenue, Lucerne, CA), and it was passed by a roll-call vote (5 ayes).

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

12. **ITEM A-8 - 10:30 A.M. - PUBLIC HEARING - Certification of the Lake County Community Wildfire Protection Plan for Lake County** - Deputy Administrative Officer Jeff Rein gave an overview of plan. The plan is intended to serve as the guiding document for reducing the risk and minimize the impact of wildfire to Lake County communities. While taking into account the unique risks, values and concerns of individual communities, it identifies the most appropriate methods for reducing wildfire risk by assessing risks, establishing priorities and workable solutions for the protection of life, property and critical infrastructure in the wildland urban interface on both public and private land. The plan is not intended to be a static document but instead will be modified as goals and objectives are achieved or need refinement.

Chair Rushing opened the public hearing and the following persons spoke: Mr. Ernie Loveless, Mr. Jeff Tunnell, Mr. Douglas Gearhart and Ms. Victoria Brandon. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the certification of the Lake County Community Wildfire Protection Plan for Lake County and authorized the Chair to sign.

13. **ADDENDUM A-1 - Discussion/consideration of County assistance to Clear Lake Keys algae infestation and the declaration of a state of emergency** - Chair Rushing gave a brief overview of the algae problem in Clear Lake Keys area.

Deputy Director of Public Works - Water Resources Pam Francis was present.

Representative of Assembly Member Chesbro Ms. Ruth Valenzuela was also present.

Chair Rushing asked if anyone present wished to speak on this item and the following persons spoke: Mr. Larry Jensen, Ms. Diane Gibson, Ms. Sarah Ryan, Ms. Victoria Brandon, Mr. Byron Dukes, Mr. Darin Costner and Mr. John Zebelean. No one else was present wishing to speak and the public portion of this item was closed.

There was consensus by the Board for the Department of Public Works, Water Resource Division to prepare a short-term Algae Removal Cost Plan for Clear Lake and submit plan and a request for funding to the State Water Resources Board and other funding sources. Also, directed staff to prepare a long-term Algae Removal/Elimination Plan for Clear Lake.

The Board recessed for lunch at 12:35 p.m. and reconvened at 1:41 p.m.

14. **ITEM A-9 - 1:30 P.M. - Presentation by the Genetically Engineered (GE) Crops Advisory Committee regarding the growing of GE crops in Lake County** - Chair of the Genetically Engineered (GE) Crops Advisory Committee Mark Hooper was present and gave an overview of recommendations on growing GE crops in Lake County.

Chair Rushing asked if anyone present wished to speak on this item and the following persons spoke: Ms. Victoria Brandon, Mr. Steve Devoto, Ms. Sarah Ryan, Ms. Joan Moss, Mr. Steve Grammar, Ms. Laurie Gray, Ms. Joanne Saccato, Mr. Richard Sacks, Ms. Sybil Francis and Mr. Brock Zoller. No one else was present wishing to speak and the public portion of this item was closed.

This item was continued to October 13, 2009, at 1:30 p.m. for further discussion.

- BACK TO #10 - ITEM A-15 - Discussion/consideration of proposed Ordinance amending Chapter 6 of the Lake County Code regarding the County's Emergency Organization Management** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), reopened Item A-15 for discussion.

The following amendment was made to the ordinance:

Deleted Section 4.3 and replaced with the following wording:

There is hereby created the Office of Emergency Services Coordinator. The Sheriff's Department Emergency Services Coordinator or other Sheriff's designated employee shall be the Emergency Services Coordinator.

On motion of Supervisor Brown and by vote of the Board (5 ayes), waived the reading of the ordinance, as amended, and had it read in title only (Clerk so did).

On motion of Supervisor Brown and by vote of the Board (5 ayes), advanced the ordinance, as amended one week to September 1, 2009.

There being no further business, the Board adjourned at 2:30 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board