



MINUTES COUNTY OF LAKE BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 24, 2009

The Honorable Board of Supervisors of Lake County, California, met in regular session this 24th day of February, 2009, there being present Supervisors Jim Comstock, Jeff Smith, Anthony Farrington, Rob Brown and Denise Rushing, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:01 a.m. by Chair Rushing. Following a moment of silence Deputy Redevelopment Director Eric Seely led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF THE CONSENT AGENDA** - On motion of Supervisor Comstock and by vote of the Board, approved Consent Agenda Items C-1 through C-7, with the exception of C-4, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors meeting held on February 10, 2009.

Approved Budget Transfer B-135 in the amount of \$19,500 for the purchase of a Disk to Disk Data Backup Solution System, Budget Unit No. 1904 - Information Technology and authorized the Chair to sign (transferring funding from previously approved appropriation).

Approved Agreement between the County of Lake and the Lake County Community Action Agency for the purpose of providing funding to the Lake County Community Action Agency's Youth Recreation Program in the amount of \$20,000, and authorized the Chair to sign.

Adopted Resolution No. 2009-26 approving Final Parcel Map and the signing of the Final Parcel Map (Mohr).

Approved Amendment Five to Agreement between the County of Lake and Pavement Engineering, Inc. for engineering services for the Big Valley Rancheria Transportation Project (an increase of \$7,375), and authorized the Chair to sign.

Approved letter of support to Assemblyman Huffman regarding AB 74 (Chesbro), authorizing State participation in the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project and authorized the Chair to sign.

2. **CONSENT AGENDA ITEM C-4 - (a) Consideration of request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County and authorize Public Services Director Kim Clymire to issue a purchase order for \$31,604 to CXT Pre-cast Products for purchase of a waterless vault restroom (including freight, installation and tax), for Rodman Slough** - This item was carried over to a future date.

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

Extra #1 - Consideration of request to approve Amendment Three to Agreement between the County of Lake and Willdan, Incorporated for consultation services for the review of plans for various private improvement projects (compensation for services will be on a time and material basis to correspond with Willdan's current schedule of hourly rates) - Principal Civil Engineer Ken Brown was present.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved taking up this item as an extra due to the fact that the need arose after the posting of today's agenda.

This item was taken up by the Board for the following reason: President Obama signed into law the American Reinvestment Recovery Act on February 17, 2009. The signing of this economic stimulus package initiates a "90-day clock" to have "shovel ready" projects under contract for construction. Any delay could have a deleterious effect on our ability to secure these funds for the County of Lake.

The Director of Public Works took the initiative to sign a task order with Willdan, Incorporated, to locate a project manager in County offices beginning February 19, 2009. Immediate action by the Board of Supervisors to approve the contract amendment will provide effective and continue efforts by this individual to prepare "shovel ready" projects for construction.

Mr. Brown presented the staff summary.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved Amendment Three to Agreement between the County of Lake and Willdan, Incorporated for consultation services for the review of plans for various private improvement projects (compensation for services will be on a time and material basis to correspond with Willdan's current schedule of hourly rates), and authorized the Chair to sign.

The Board also directed the department to negotiate similar contracts with local engineering firms and to give priority to using local firms when possible.

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

Extra #2 - Consideration of request to authorize the Redevelopment Agency to fund the necessary improvements to connect the drainage from the 9th Avenue Sidewalk Construction Project to CalTrans' existing drainage on Highway 20, Lucerne - Deputy Redevelopment Director Eric Seely was present.

On motion of Director Brown and by vote of the Board (5 ayes), approved taking up this item as an extra due to the fact that the need arose after the posting of today's agenda.

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This item was taken up as an extra for the following reason: CalTrans imposed certain conditions relative to the drainage infrastructure on the drugstore parcel which neither the property owner nor the Redevelopment Agency previously anticipated. After the posting of today's agenda, the property owner's lending institution contacted staff. For reasons beyond anyone's control, if the issue of funding these necessary improvements is not resolved this week, it will seriously jeopardize the lender's ability to ensure that financing remains available for this project.

Mr. Seely presented the staff report.

On motion of Director Brown and by vote of the Board (5 ayes), authorized the Redevelopment Agency to fund the necessary improvements to connect the drainage from the 9th Avenue sidewalk construction project to CalTrans' existing drainage on Highway 20, as described in the staff report, and directed staff to take the necessary steps in accordance with the Purchasing Ordinance to hire a contractor to perform the additional work.

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

CITIZEN'S INPUT - Carol Schepper spoke regarding the upcoming Volunteer Summit.

4. **ITEM A-5 - 9:15 A.M. - (a) Discussion/consideration of request to allocate funding for the development of a marketing strategy to attract commercial and resort investors that are interested in providing capital to existing businesses, resorts and properties in Lake County; and (b) Consideration of request to begin the recruiting process for a firm that has the expertise to attract commercial and resort investors** - Deputy Administrative Officer Marketing and Economic Development Debra Sommerfield was present.

(a) Supervisor Farrington gave a brief summary.

Chair Rushing asked if anyone was present wishing to speak and the following people spoke: Victoria Brandon, Lyndon Emst, Louise Talley and Richard Hernaez. No one else was present wishing to speak and the public input portion of this item was closed.

No Board action was taken on this item.

(b) On motion of Supervisor Farrington and by vote of the Board (5 ayes), directed staff to bring recommendations to the Board regarding the development of criteria and standards for a project list, as well as identifying resources available for marketing and locating expertise in the field.

After a brief recess, the Board reconvened at 10:23 a.m.

5. **ITEM A-6 - 9:30 A.M. - Presentation by Lake County/City Area Planning Council Associate Planner Terri Persons on the Lake County 2030 Regional Blueprint Planning Program** - Lake County/City Area Planning Council Associate Planner Terri Persons gave a power point presentation.

This item was informational only. No Board action was taken on this item.

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

6. **ITEM A-7 - 10:00 A.M. - Discussion/consideration of proposed Resolution recommending water users in Lake County implement water conservation measures** - Deputy Public Works Director Water Resources Pam Francis, Special Districts Administrator Mark Dellinger and Water Resources Engineer Tom Smythe were present.

Mr. Smythe presented the staff summary.

Chair Rushing asked if anyone was present wishing to speak and the following people spoke: Victoria Brandon, Louise Talley, Doug Gearhart, Joan Moss and Mel Ost. No one else was present wishing to speak and the public input portion of this item was closed.

Director Brown offered Resolution No. 2009-27 and it was passed by roll call vote (5 ayes).

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

7. **ITEM A-9 - 11:00 A.M. - Presentation of Employee Services Awards** - Supervisor Rushing presented certificates, pen/pencil sets and/or clocks in recognition of ten or more years of employment with the County of Lake (or in the case of department heads or Board members, five or more years of service).

The following employees received certificates for five years of service: Doug Gearhart - Air Quality Control.

The following employees received pen/pencil sets for ten years of service: Margaret Anderson - Social Services, Lucas Bingham - Sheriff/Coroner, Cynthia Chisholm - Social Services, Janice Cook - Library, Allison Garrett - Community Development - Code Enforcement, Timothy Hill - Mental Health, Cheryl Jones - Social Services, Beverly Mangué - Social Services, Gloria Martinez - Special Districts, Jill Perry - Sheriff/Jail, Lee Peters - Child Support Services, Patricia White - Child Support Services and Amanda Yocham - Mental Health.

The following employees received clocks for fifteen years of service: Jean Bowers - Social Services, James Brown - Health Services/Administration, Robert Campbell - Child Support Services, Carolyn Cook - Health Services/Public Health, Mary Dietz - Health Services/Public Health, Stacey Hayes - Sheriff/Jail and Michelle Paterson - Sheriff/Jail.

The following employees received clocks for twenty years of service: Nancy Clement - Assessor, Virginia Devries - Library and Robert Quiett - Special Districts.

The following employees received clocks for twenty-five years of service: JoAnne Hines - Administration and John Thompson - Special Districts.

The following employees received clocks for thirty years of service: Carol Ann Clark - Probation and Dennis Ostini - Sheriff/Marine Patrol.

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8. **ITEM A-10 - 11:30 A.M. - Consideration of letter in support of Federal Appropriation Application to create a manufacturing facility in Lake County to produce energy efficient temporary shelters and associated infrastructure** - Advanced Housing Technologies CEO Clovis Lewis presented a brief summary to the Board.

Supervisor Farrington suggested the addition of a stipulation in the letter that Research and Development and Initial Manufacturing be housed in Lake County. Mr. Lewis was in agreement with this stipulation.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved, as amended, the letter in support of Federal Appropriation Application to create a manufacturing facility in Lake County to produce energy efficient temporary shelters and associated infrastructure, and authorized the Chair to sign.

9. **ITEM A-12 - Update on the emergency action taken by the Lake County Board of Supervisors on December 9, 2008, declaring the continuance of the existing local emergency in regards to the court order issued by the Sacramento Superior Court which prohibits fish stocking by the Department of Fish and Game in water bodies in Lake County** - County Counsel Anita Grant provided an update on behalf of University of California Extension Director Greg Giusti.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), determined the state of emergency still exists.

10. **ITEM A-13 - Proposed Ordinance amending Article XII of Chapter 19 of the Lake County Code concerning weight and speed limits on County bridges** - 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 March 3, 2009.

11. **ITEM A-14 - Discussion/consideration of request to purchase ten (10) Mobile Audio Video (MAV) units for pursuit vehicles in the amount of \$52,528.13 from WatchGuard** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved request to purchase ten (10) Mobile Audio Video (MAV) units for pursuit vehicles in the amount of \$52,528.13 from WatchGuard, and authorized the Sheriff/Assistant Purchasing Agent to issue a purchase order to WatchGuard in the amount of \$52,528.13, Budget Unit No. 2201 - Sheriff/Coroner.

12. **ITEM A-15 - Discussion/consideration of request to purchase a replacement livescan fingerprinting system for the Hill Road Vocational Education building in the amount of \$26,168.45 from Cogent Systems** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved request to purchase a replacement livescan fingerprinting system for the Hill Road Vocational Education building in the amount of \$26,168.45 from Cogent Systems, and authorized the Sheriff/Assistant Purchasing Agent to issue a purchase order to Cogent Systems in the amount of \$26,168.45, Budget Unit No. 2301 - Jail Facilities.

13. **ITEM A-16 - Consideration of proposed Resolution opposing the State Water Resources Control Board's proposed Assembly Bill 885 - Onsite Wastewater Treatment Systems Regulations unless significantly amended** - Supervisor Comstock gave a brief summary.

Chair Rushing asked if anyone was present wishing to speak and the following people spoke: Joan Moss and Anna Ravenwood. No one else was present wishing to speak and the public input portion of this item was closed.

An amendment was made to the Resolution, declaring the State Water Resources Control Board should eliminate the additional requirement for the testing of private wells.

Supervisor Comstock offered Resolution No. 2009-28 as amended, and it was passed by roll call vote (5 ayes).

14. **ITEM A-17 - Proposed Agreement between the County of Lake and Green Valley Consulting Engineers for engineering services for the installation of new street lights in downtown Middletown in the amount \$31,586** - Principal Civil Engineer Ken Brown presented the staff summary.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved Agreement between the County of Lake and Green Valley Consulting Engineers for engineering services for the installation of new street lights in downtown Middletown in the amount \$31,586, and authorized the Chair to sign.

15. **ITEM A-18 - Advanced from February 17, 2009 - An Ordinance amending Article X of Chapter Two of the Lake County Code to add a definition for the term "Purchase Order" - (Second Reading)** - Supervisor Brown offered Ordinance No. 2889 and it was passed by roll call vote (5 ayes).

16. **ITEM A-19 - Advanced from February 17, 2009 - (a) An Ordinance amending the Lake County Code, Article III of Chapter 5, Section 5.14, relating to building permit non-compliance, violations, stop work orders, appeal rights, costs of abatement, penalties and arrest and citation powers - (Second Reading); and (b) An Ordinance amending the Lake County Code, Article I of Chapter 5, Section 5-4f.2, relating to regulations governing fireworks within the unincorporated areas of Lake County (continuation of the existing policy and updates the regulations to be consistent with the 2007 California Fire Code) - (Second Reading)** - (a) Supervisor Brown offered Ordinance No. 2890, amending the Lake County Code, Article III of Chapter 5, Section 5.14, relating to building permit non-compliance, violations, stop work orders, appeal rights, costs of abatement, penalties and arrest and citation powers, and it was passed by roll call vote (5 ayes).

(b) Supervisor Brown offered Ordinance No. 2891, amending the Lake County Code, Article I of Chapter 5, Section 5-4f.2, relating to regulations governing fireworks within the unincorporated areas of Lake County (continuation of the existing policy and updates the regulations to be consistent with the 2007 California Fire Code), and it was passed by roll call vote (5 ayes).

17. **ITEM A-20 - CLOSED SESSION - 1. Conference with Labor Negotiators: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCEA, LCCOA, SDA and DDAA** - Chair Rushing 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.

After a lunch recess, the Board reconvened at 1:33 p.m. Supervisors Smith and Farrington were absent.

18. **ITEM A-8 - 10:30 A.M. - (a) Overview of the Lake County Mussel Response Plan and protective actions that have been implemented to delay the infestation of mussels in Lake County water bodies; and (b) Consideration of request to surplus decontamination stations pursuant to the requirements of the Lake County Purchasing Ordinance; and (c) Consideration of Mussel Task Force operations** - (a) Deputy Public Works Director Water Resources Pam Francis gave a power point presentation.

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Supervisor Smith was present at 1:36 p.m.

Supervisor Farrington was present at 1:38 p.m.

(b) Amendments were made to the resolution, changing the number of units for sale to four and setting the sale price at 75% of the price originally paid for the units.

Supervisor Smith offered Resolution No. 2009-29, as amended, and it was passed by roll call vote (5 ayes).

(c) Chair Rushing asked if anyone was present wishing to speak and Pete MacRae spoke. No one else was present wishing to speak so the public input portion of this item was closed.

No Board action was taken.

There being no further business, the Board adjourned at 2:14 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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