



MINUTES

COUNTY OF LAKE

BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 3, 2009

The Honorable Board of Supervisors of Lake County, California, met in regular session this 3rd 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 Supervisor Brown led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF THE CONSENT AGENDA** - At the request of Chair Rushing, Consent Agenda Item C-1 was removed from the Consent Agenda for discussion immediately following the approval of the Consent Agenda. On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda Items C-2 through C-4.

Adopted Resolution No. 2009-13 approving Agreement No. 08-0676 with the State of California, Department of Food and Agriculture and authorizing execution of the contract and signature for insect trapping activities for Fiscal Year 2008/2009 and Fiscal Year 2009/2010.

Sitting as the Board of Directors of the Lake County Sanitation District, approved Sewer Mainline Extension Agreement between the Lake County Sanitation District and Advanced Real Estate Options LLC (Melvin Uchida), located at 16040 40th Avenue, Clearlake (APN 041-275-49), and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, adopted Resolution No. 2009-14 accepting conveyance of real property located at 5415 Custer Trail (APN 033-681-080), and 5847 Locksley Road (APN 033-410-070), Lucerne, CA.

2. **CONSENT AGENDA ITEM C-1 - Consideration of proposed Minutes of the Board of Supervisors meetings held on January 13 and 20, 2009** - (a) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Minutes of the Board of Supervisors meeting held on January 13, 2009.

(b) On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Rushing ABSTAIN), approved the Minutes of the Board of Supervisors meeting held on January 20, 2009.

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

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

Change Order No. 1 - Southeast Wastewater Treatment Plant, Effluent Reservoir Outlet Valve Modifications Project - This change order addresses the removal of excess concrete found during attempted gate installation, and the construction of additional steps.

On motion of Director Brown and by vote of the Board (5 ayes), approved Change Order No. 1, for an increase of \$11,510.00, Underwater Resources, Inc, and authorized the Chair to sign.

Change Order No. 2 - Bear Canyon Zero Booster Pump Station Project - This change order addresses blocking out a portion of the concrete slab for subsequent installation of electrical conduit by PG&E. This change order is to be paid by NCPA.

On motion of Director Brown and by vote of the Board (5 ayes), approved Change Order No. 2, for an increase of \$2,194.00 (to be paid by NCPA), Underwater Resources, Inc., and authorized the Chair to sign.

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

4. **ITEM A-8 - Consideration of applications from members of the public for appointment to miscellaneous Lake County committees, commissions and advisory boards** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Glenn Walters to the Countywide Parks and Recreation Advisory Board, for a term expiring January 1, 2011.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Donna Christopher to the Solid Waste Management Task Force, for a term expiring January 1, 2011.

5. **ITEM A-10 - Consideration of proposed letters to congressional delegation requesting support for federal appropriations for Kelseyville Wastewater Treatment Plant Facility** - Special Districts Administrator Mark Dellinger presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the letters to congressional delegation requesting support for federal appropriations for Kelseyville Wastewater Treatment Plant Facility, and authorized the Chair to sign.

6. **ITEM A-11 - Advanced from January 27, 2009 - An Ordinance temporarily suspending the 2008 fee increase approved by Ordinance No. 2829, establishing the fee schedule for Environmental Health Programs of the Lake County Department of Health Services - (SECOND READING)** - Supervisor Brown offered Ordinance 2887, and it was passed by roll call vote (5 ayes).

7. **ITEM A-12 - Advanced from January 27, 2009 - An Ordinance amending Chapter 15 of the Lake County Code providing for dogs to be on leash under the control of the dog(s) owner/owner's agent in designated areas at six County parks - (SECOND READING)** - Supervisor Brown offered Ordinance No. 2888, and it was passed by roll call vote (5 ayes).

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8. **ITEM A-4 - Carried over from January 20 and 27, 2009 - 9:15 A.M. - Proposed Resolution in support of the creation of a Feasibility Task Force by the Office of Education to consider the potential for cost savings and the general effects to be anticipated should any of the school districts in Lake County be unified with one or more existing districts** - Lake County Office of Education Superintendent Dave Geck and Lowell Grant were present.

Chair Rushing asked if anyone was present wishing to speak and the following people spoke: Bill MacDougall, Cardyn Jarrett and Tom Powers. No one else was present wishing to speak and the public input portion of this item was closed.

Supervisor Brown offered Resolution No. 2009-15, and it was passed by roll call vote (5 ayes).

9. **ITEM A-7 - Supervisors' weekly calendar, travel and reports** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved out-of-county travel for Supervisor Comstock to attend AB 8885 Proposed Septic Implementation Meeting in Santa Rosa, on Monday, February 9, 2009.
10. **ITEM A-9 - (a) Presentation of the midyear budget review; and (b) Consideration of proposed Resolution revising appropriations and revenue estimates in the Fiscal Year 2008/2009 Final Budget** - County Administrative Officer Kelly Cox and Community Development Director Rick Coel were present.

Mr. Cox presented the staff report.

Amendments were made to the proposed Resolution, increasing Fund 282, Budget Unit 8482 - Special Districts - Object Code 18 - Maintenance and Building Improvement by \$20,000, to allow for repair to the CSA #22 Mt. Hanna water distribution system, and postponing the elimination of one Plans Examiner I/II position to April 1, 2009.

Staff was directed to return to the Board in March 2009 with further updates and recommendations relative to adjustments in the Building and Safety budget, including any potential alternatives to staffing reductions.

Supervisor Smith offered Resolution 2009-16, as amended, and it was passed by roll call vote (5 ayes).

11. **ITEM A-5 - 10:15 A.M. - PUBLIC HEARING - Consideration of recommendations for allocation of Supplemental Local Law Enforcement Services Funds (SLESF)** - District Attorney Jon Hopkins was present.

County Administrative Officer Kelly Cox presented the staff summary.

Chair Rushing opened the public hearing. No one was present wishing to speak and the public hearing was closed.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the use of Supplemental Law Enforcement Services Funds (SLESF) in the following manner: \$100,000 to be allocated to Budget Unit 2201 - Sheriff/Coroner - Object Code - 1.13, \$18,572 to be allocated to Budget Unit 2301 - Sheriff/Jail - Object Code 18.00, and \$18,572 to be allocated to Budget Unit 2110 - District Attorney - Object Code 1.12.

After a brief recess, the Board reconvened at 10:35 a.m.

12. **ITEM A-6 - 10:30 A.M. - PUBLIC HEARING - Discussion/consideration of future grant applications for the Community Development Block Grant (CDBG) Program** - Deputy Administrative Officer Matt Perry and Administrative Analyst Doug Willardson were present.

Mr. Willardson presented the staff report, including a power point presentation regarding the CDBG program and activities eligible for funding.

Chair Rushing opened the public hearing and the following people spoke: Rena Nunn, Pat Grabham, Arnette Maderias, Chuck Lamb, Hank Bushnell, Joan Moss and Carol Huchingson. (All spoke in favor of funding the replacement of the Live Oak Senior Center facility in Clearlake Oaks). No one else was present wishing to speak and the public hearing was closed.

The gavel was passed to Vice Chair Farrington.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), directed staff to prepare a grant application for CDBG funds in the amount of \$1,000,000, of which \$700,000 is to be allocated to the Live Oak Senior Center project.

The Board also directed that the grant application include funding for the Meals on Wheels program and possibly other projects discussed today in order to make the application as competitive as possible, depending upon what information is provided in the Notice of Funding Availability (NOFA) to be issued by the State CDBG Program in the near future. Staff will return to the Board at a later date with additional recommendations and to obtain further direction from the Board.

The gavel was returned to Chair Rushing.

13. **ITEM A-13 - 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: (a) Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: One potential case** - 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.

There being no further business, the Board adjourned at 11:50 a.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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