



# MINUTES COUNTY OF LAKE BOARD OF SUPERVISORS

## OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JULY 28, 2009

The Honorable Board of Supervisors of Lake County, California, met in regular session this 28<sup>th</sup> day of July, 2009, there being present Supervisors 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. Supervisor Jim Comstock was absent all day.

The meeting was called to order at 9:00 a.m. by Chair Rushing. Following the 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 THE CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), approved Consent Agenda Items C-1 through C-17, with the exception of C-17, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors meetings held on June 23, July 7, and July 14.

Adopted Resolution No. 2009-125, notice of intention of sale of County property not required for public use, pursuant to Government Code Section 25520 et seq., of approximately 3.04 acres, located at 14102 East Highway 20, Clearlake Oaks, California, described as Assessor's Parcel Number 06-550-24; the minimum bid price of the real property is one hundred forty-five thousand dollars (\$145,000), and a 5% commission will be provided to a licensed real estate broker who submits the highest bid and set **August 18, 2009, at 9:45 a.m.**, as time and place where sealed bids and oral bids shall be received and considered.

Adopted Resolution No. 2009-126, amending Resolution No. 2008-152 to amend the Final Budget for Fiscal Year 2008/2009 by making various adjustments to Budget Unit 2101 - Trial Courts.

Approved Contract between the County of Lake and Steven Schepper, M.D. for the development of a baseline self-assessment tool to determine individual Local Emergency Medical Services Agency (LEMSA) disaster medical services preparedness and response capability in the amount of \$17,550, and authorized the Chair to sign.

Approved Agreement between the County of Lake and the Lake County Vector Control District directing the County Auditor to add the Lake County Vector Control District's benefit assessment to the property tax rolls (the District will pay the County \$0.25 per parcel), and authorized the Chair to sign.

Adopted Resolution No. 2009-127, in support of the receipt of Juvenile Accountability Block Grant (JABG) funding for Aggression Replacement Training for Probation Officers and Juvenile Correctional Officers.

Approved Engineering and Inspection Agreement between County of Lake and Lake County International Charter School (LCICS), for construction of curb, gutter, sidewalk and drainage improvements, located at 15872 and 15850 Armstrong Street, Middletown, and authorized the Chair to sign.

Approved Plans and Specifications for Soda Bay Road Rehabilitation and Overlay and authorized Public Works Director/Assistant Purchasing Agent to advertise for bids.

Approved Plans and Specifications for Sulphur Bank Drive PM 1.94 Storm Damage Repair and authorized Public Works Director/Assistant Purchasing Agent to advertise for bids.

Approved Plans and Specifications for Bartlett Springs Road PM 1.4 Storm Damage Repair and authorized Public Works Director/Assistant Purchasing Agent to advertise for bids.

Approved Plans and Specifications for Robinson Road PM 0.55 Storm Damage Repair and authorized Public Works Director/Assistant Purchasing Agent to advertise for bids.

Approved Plans and Specifications for Elk Mountain Road PM 27.00 Storm Damage Repair and authorize Public Works Director/Assistant Purchasing Agent to advertised for bids.

Adopted Resolution No. 2009-128 amending Resolution No. 2009-105 establishing position allocations for Fiscal Year 2009/2010, Budget Unit No. 2201 - Sheriff-Coroner (adding one Captain Sworn/Non Sworn allocation and deleting one Lieutenant allocation).

Sitting as the Board of Directors of the Kelseyville County Waterworks District No. 3, approved Plans and Specifications for Kelseyville Wastewater Treatment Plant and Effluent Pump Station Improvements and authorized Special District Administrator/Assistant Purchasing Agent to advertise for bids.

Sitting as the Board of Directors of the Kelseyville County Waterworks District No. 3, adopted Resolution No. 2009-129, approving the completion of the Sanitary Sewer Management Plans (SSMP) and authorizing the Special Districts Administrator to certify completion as required by the State Water Resources Control Board Order No. 2006-0003-Statewide General Waste Discharge Requirements (WDR) for sanitary sewer systems (Kelseyville County Waterworks District No. 3).

Sitting as the Board of Directors of the Lake County Sanitation District, adopted Resolution No. 2009-130, approving the completion of the Sanitary Sewer Management Plans (SSMP) and authorizing the Special Districts Administrator to certify completion as required by the State Water Resources Control Board Order No. 2006-0003-Statewide General Waste Discharge Requirements (WDR) for sanitary sewer systems (Lake County Sanitation District).

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

2. **CONSENT AGENDA ITEM C-17 - Discussion/Consideration of request to approve Agreement between the Lake County Redevelopment Agency and Edward and Frances Seely for lease of ten (10) parking spaces at 9405 Main Street, Upper Lake, in the amount of \$20 per month per parking space, for a total of \$600 per month** - Supervisor Farrington requested this item be pulled from the Consent Agenda for discussion.

County Administrative Officer Kelly Cox corrected a typographical error on the title of the agreement, changing the number of parking spaces from ten (10) to thirty (30).

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), approved the Agreement between the Lake County Redevelopment Agency and Edward and Frances Seely for lease of thirty (30) parking spaces at 9405 Main Street, Upper Lake, in the amount of \$20 per month per parking space, for a total of \$600 per month, and authorized the Chair to sign.

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

**Upper Lake Main Street Project - Update Regarding Extra Work Being Performed by Contractor Via Force Account** - Deputy Redevelopment Director Eric Seely presented the update.

This item was informational only. The Board took no action on this item.

**CITIZEN'S INPUT** - Monica Rosenthal spoke regarding the Lake County Wine Adventure.

4. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Review of annual grantee performance reports for the following Community Development Block Grants: (a) #05-STBG-1421 for Clearlake Oaks Plaza Restoration and Housing Rehabilitation; (b) Program Income Activities, including Housing Rehabilitation Revolving Loan Fund, Business Expansion and retention Revolving Loan Fund and Public Works Facilities; and (c) #06-EDBG-2604 for Pear Packing Facility Re-Use Study, Upper Lake Downtown Revitalization Plan, Clark's Island Redevelopment Study and Lucerne Hotel Mixed Use Feasibility Study** - Chief Deputy County Administrative Officer Matt Perry gave the staff report.

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

This item was informational only. The Board took no action on this item.

5. **ITEM A-6 - 9:30 A.M. - Discussion/consideration of request from Mr. Terry Hopkins for the Board of Supervisors to authorize the acceptance by the Community Development, Planning Division, of a re-application of a major use permit earlier than required six (6) months after the date of denial by the Board** - On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), authorized the acceptance by the Community Development, Planning Division, of a re-application of a major use permit earlier than the required six (6) months after the date of denial by the Board.

6. **ITEM A-11 - Discussion/consideration of proposed Agreement between the County of Lake and Milhous Children's Services for children's specialty mental health services in the amount of \$202.43 per day (for a maximum amount of \$50,000), for Fiscal Year 2009/2010** - Mental Health Director Kristy Kelly presented the staff report.

On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), approved the Agreement between the County of Lake and Milhous Children's Services for children's specialty mental health services in the amount of \$202.43 per day (for a maximum amount of \$50,000), for Fiscal Year 2009/2010, and authorized the Chair to sign.

7. **ITEM A-7 - 9:45 A.M. - Informational presentation by regarding "Adverse Childhood Experience" Study** - First 5 Executive Director Tom Jordan gave a power point presentation.

This item was informational only. The Board took no action on this item.

8. **ITEM A-8 - 10:05 A.M. - Discussion/consideration of proposed letter to federal representatives in opposition to the Clean Water Restoration Act of 2009 (S.787)** - Senior Administrative Analyst Jennifer Hammond was present.

Supervisor Farrington introduced this item.

Chair Rushing asked if anyone was present wishing to speak and Victoria Brandon spoke. No one else was present wishing to speak and the public input portion of this item was closed.

This item was continued one week, to August 4, 2009, to allow for further research.

After a brief recess, the Board reconvened into Regular Session at 10:46 a.m.

9. **ITEM A-9 - 10:30 A.M. - Consideration of request for Board direction regarding the disposal of two decontamination units withheld from previous sale and the allocation of the proceeds generated from their sale** - Public Works Director Brent Siemer, Lakeport City Councilmember Suzanne Lyons and Acting Lakeport City Manager Kevin Burke were present.

Mr. Siemer presented the staff report.

Chair Rushing asked if anyone was present wishing to speak and the following people spoke: Victoria Brandon, Pete MacRae and Janet Cawn. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), made an intended decision for staff to pursue the donation of surplus property (one decontamination station), to the City of Lakeport, and scheduled August 11, 2009, at 10:15 a.m. for consideration of the donation of the decontamination station to the City of Lakeport.

10. **ITEM A-12 - (a) Discussion/consideration of request for waiver of the competitive bidding process based on a determination that the competitive bidding process would produce no economic benefit to the County for the purchase of Bailey Bridge components and authorize Public Works Director to issue a purchase order to Guy Rents of Chico, in the amount of \$86,187; and (b) Authorize the expenditure of \$86,187 of Road Funds for the purchase of the Bailey Bridge components with future reimbursement from the County General Fund** - Public Works Director Brent Siemer and Road Superintendent Steve Stangland were present.

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Mr. Siemer presented the staff report.

(a) On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), waived the competitive bidding process based on the determination that the competitive bidding process would produce no economic benefit to the County for the purchase of Bailey Bridge components and authorized the Public Works Director to issue a purchase order to Guy Rents of Chico, in the amount of \$86,187.

(b) On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), authorized the expenditure of \$86,187 of Road Funds for the purchase of the Bailey Bridge components with future reimbursement from the County General Fund.

**11. ITEM A-13 - Discussion/consideration of proposed Agreement between the County of Lake and Ruzicka Associates for construction inspection services for pavement rehabilitation and drainage improvements for State Street, Kelseyville, in the amount of \$98,000** - Public Works Director Brent Siemer presented the staff report.

There was Board consensus to direct staff to remove the Contractor's Vehicle charge from the contract.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), approved the Agreement, as amended, between the County of Lake and Ruzicka Associates for construction inspection services for pavement rehabilitation and drainage improvements for State Street, Kelseyville, in the amount of \$90,500 (deleting the Vehicle Charges) and authorized the Chair to sign.

**12. ITEM A-14 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: DDAA** - County Counsel reported no negotiations were scheduled for today.

Chair Rushing announced the Board would not go into Closed Session for the reason stated on the agenda.

The Board returned to Regular Session with no action taken.

There being no further business, the Board adjourned at 11:56 a.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