



MINUTES COUNTY OF LAKE BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JUNE 2, 2009

The Honorable Board of Supervisors of Lake County, California, met in regular session this 2nd day of June, 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 9:02 a.m. by Chair Rushing. Following the moment of silence, Supervisor Comstock 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 (5 ayes), approved Consent Agenda Items C-1 through C-5.

Approved Amendment 2 to the Agreement between the County of Lake and Thompson and Hendricks Architects and Planners for architectural services for the Clearlake Oaks Senior Center (to be compensated on an hourly basis with a "not to exceed" limit of \$2,500), and authorized the Chair to sign.

Adopted Resolution No. 2009-83 approving Agreement No. 09-0025 with the State of California, Department of Food and Agriculture for costs involved with the inspection of advertising and labeling of petroleum and automotive products and in addition, for costs involved with the inspection of public scales and their records in accordance with the terms of said agreement beginning July 1, 2009 through June 30, 2010.

Adopted Resolution No. 2009-84 approving the Standard Agreement between the County of Lake and the State of California for Immunization Assistance Program (IAP), for Fiscal Year 2009/2010, in the amount of \$35,000, and authorizing the Director of Health to sign.

Approved Budget Transfer B-278, in the amount of \$40,000, for the purchase of a security system for Juvenile Hall, Budget Unit No. 2303 - Juvenile Hall, and authorized the Chair to sign.

Adopted Resolution No. 2009-85 order approving Final Parcel Map and the signing of the Final Parcel Map (Kimco Development, Inc.).

Adopted Resolution No. 2009-86 temporarily authorizing a road closure, prohibiting parking and authorizing removal of vehicles and ordering the Department of Public Works to post signs for purposes of conducting Middletown Days parade and events (from 12:00 p.m. June 19, 2009, through 8:00 P.M. June 21, 2009).

Adopted Resolution No. 2009-87 amending Resolution No. 2008-153, establishing position allocations for Fiscal Year 2008/2009, Budget Unit No. 5011 - Department of Social Services (deleting one (1) vacant Office Assistant II-CDL and adding one (1) Office Assistant III; deleting one (1) vacant Office Assistant II-CDS and adding one (1) Secretary I/II and deleting one (1) vacant Accounting Technician and adding one (1) Senior Accounting Technician).

Approved Second Amendment to Contract between the County of Lake and Dazzling Janitorial Services (an increase of \$225 per month, for a total of \$4,771.02 per calendar month for all of Social Services' facilities), and authorized the Chair to sign.

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

Change Order No. 4 - Bear Canyon Zero Booster Pump Station Project - This change order addresses the following:

1) The pump station manufacturer increased the weight of the modular pump station after the construction contract was awarded, requiring the use of a larger and more expensive crane for unloading. 2) The raw sewer force main did not appear on the as-built drawings and had to be re-located to avoid a conflict with the new pump station piping. 3) The main pipeline shutdown schedule identified in the construction contract was changed by the industry operators due to other operational constraints, causing the contractor to re-mobilize equipment to the site. All costs of the change order are to be paid by NCPA.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved Change Order No. 4, Bear Canyon Zero Booster Pump Station Project, for an increase of \$9857.98, Terracon, Inc., and authorized the Chair to sign.

3. **ITEM A-14 - Consideration of appointment to fill vacancy on the Vector Control District Board of Directors** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Philip Murphy to the Vector Control Board of Directors, for a term expiring January 1, 2011.

4. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Consideration of adoption of proposed Resolution conveying personal property (police canine named Shenoe), from the County of Lake to Correctional Officer Hank Comstock** - Chair Rushing opened the public hearing. No one was present wishing to speak and the public hearing was closed.

Supervisor Brown offered Resolution No. 2009-88, and it was passed by roll call vote (5 ayes).

5. **ITEM A-15 - Proposed Resolution amending the County of Lake's Salary and Classification Plan for the classifications of Assistant Engineer I/II, Associate Civil Engineer and Principal Civil Engineer** - Supervisor Brown offered Resolution No. 2009-89, and it was passed by roll call vote (5 ayes).

6. **ITEM A-16 - Consideration of Amendment Two to Agreement between the County of Lake and Wilsey Ham for engineering services for repair of storm damage sites on Soda Bay Road MPM 7.68-7.70 and four sites on Elk Mountain Road at MPM 3.87-3.89, MPM 8.60, MPM 27.00-27.19 and MPM 27-53-27.55 (an increase of \$20,987, for a total not to exceed price of \$174,579)** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Amendment Two to Agreement between the County of Lake and Wilsey Ham for engineering services for repair of storm damage sites on Soda Bay Road MPM 7.68-7.70 and four sites on Elk Mountain Road at MPM 3.87-3.89, MPM 8.60, MPM 27.00-27.19 and MPM 27-53-27.55 (an increase of \$20,987, for a total not to exceed price of \$174,579), and authorized the Chair to sign.

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7. **ITEM A-6 - 9:20 A.M. - PUBLIC HEARING - Consideration of adoption of proposed Resolution conveying personal property (police canine named Axle), from the County of Lake to Deputy Richard Ward** - Chair Rushing opened the public hearing. No one was present wishing to speak and the public hearing was closed.

Supervisor Brown offered Resolution No. 2009-90, and it was passed by roll call vote.

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

8. **ITEM A-7 - 9:30 A.M. - PUBLIC HEARING - Consideration of a proposed change in the lease agreements for commercial buildings on property located at 3605 Lakeshore Boulevard, Nice (APN 032-133-35)** - Administrative Analyst Doug Willardson presented the staff report.

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

Director Smith offered Resolution No. 2009-91, allowing lease of real property located in Nice, California, and it was passed by roll call vote (5 ayes).

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

9. **ITEM A-17 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCEA and DDAA** - Chair Rushing announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken at 9:45 a.m.

10. **ITEM A-8 - 9:45 A.M. - Consideration of Amendment Four to the Agreement between the County of Lake and Quincy Engineering, Inc. for engineering services for South Main Street/Soda Bay Road Corridor Improvement Project in the amount of \$1,082,603** - Public Works Director Brent Siemer and Principal Civil Engineer Ken Brown were present.

Mr. Siemer presented the staff report.

Chair Rushing asked if anyone was present wishing to speak and the following people spoke: Mike Sanchez, Alan Glenn, Kristin Granback and Nancy Ruzicka. No one else was present wishing to speak and the public input portion of this item was closed.

Supervisor Farrington made the motion to approve Amendment Four to the Agreement between the County of Lake and Quincy Engineering, Inc. for engineering services for South Main Street/Soda Bay Road Corridor Improvement Project in the amount of \$1,082,603, and authorize the Chair to sign.

This motion was seconded by Supervisor Smith, with discussion.

After further discussion, Supervisor Farrington rescinded his motion.

This item was continued to 1:45 p.m.

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

11. **ITEM A-9 - 10:00 A.M. - Discussion/consideration of Amendment No. 1 to Owner Office Participation Agreement between the Lake County Redevelopment Agency and Rural Communities Housing Development Corporation (RCHDC), for the development of a 50 unit affordable housing project located at 6853 Collier Avenue, Nice (APN 031-053-22)** - Chief Deputy Administrative Officer Matt Perry presented the staff report.

Chair Rushing asked if anyone was present wishing to speak and the following people spoke: RCHDC Representatives Andy Peterson and Diane Fraser. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Director Brown and by vote of the Board (5 ayes), approved Amendment No. 1 to Owner Participation Agreement between the Lake County Redevelopment Agency and Rural Communities Housing Development Corporation (RCHDC), for the development of a 50 unit affordable housing project located at 6853 Collier Avenue, Nice (APN 031-053-22), and authorized the Executive Officer to sign the Amendment, as well as to amend, as necessary, any associated documents to make them consistent with the changes implemented by Amendment No. 1 to the Owner Participation Agreement.

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

12. **ITEM A-10 - Continued from May 12 and 26, 2009 - 10:30 A.M. - PUBLIC HEARING - Consideration of proposed Resolution approving Resolutions and Capital Fire Facility and Equipment Plans submitted by Lake County fire agencies and updating the Lake County Capital Fire Facility and Equipment Plan** - Administrative Officer Kelly Cox, Lakeport Fire Protection District Chief Jim McMurray and Kelseyville Fire District Chief Howard Strickler, Retired. were present

Mr. Cox presented the staff report.

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

Supervisor Brown offered Resolution No. 2009-92, and it was passed by roll call vote (5 ayes).

After a brief recess, the Board reconvened at 11:21 a.m.

13. **ITEM A-11 - 10:45 A.M. - Discussion/consideration of options that are available to the County relative to the future of the Guenoc College property** - On motion of Supervisor Comstock and by vote of the Board (5 ayes), directed staff to pursue returning ownership of the Guenoc College property to Langtry (the successor to the prior owner), and to return recommendations to the Board to accomplish this, for consideration at a later date.

After a lunch recess, the Board reconvened at 1:33 p.m.

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

14. **ITEM A-12 - 1:30 P.M. - ORDER TO SHOW CAUSE - SEWER SERVICE DISCONNECTION HEARINGS: Margaret Geary - APN 041-198-33 - (amount delinquent: \$985.25) - property located at 16198 28th Avenue, Clearlake, CA; David Phillips - APN 041-371-06 - (amount delinquent: \$3,642.86) - property located at 5344 Spruce Avenue, Clearlake, CA;**

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Francis Simmons - APN 039-075-15 - (amount delinquent: \$935.72) - property located at 14241 Woodland Drive, Clearlake, CA; Rainbow Church (c/o Julia Bono) - APN 024-363-09 - (amount delinquent: \$299.60) - property located at 3806 Pearl Avenue, Clearlake, CA; David Canafax - APN 040-034-15 - (amount delinquent: \$986.60) - property located at 3806 Pearl Avenue, Clearlake, CA; Ultra-Shelter Research - APN 039-284-14 - (amount delinquent: \$674.72) - property located at 14955 Saroni Parkway, Clearlake, CA; R and V Louis - APN 041-136-26 - (amount delinquent: \$1,834) - property located at 15933 40th Avenue, Clearlake, CA - Special Districts Administrator Mark Dellinger, Fiscal Officer Janet Coppinger and Customer Service Supervisor Karen Hanson were sworn in by the Clerk.

Margaret Geary - APN 041-198-33 - (amount delinquent: \$985.25) - property located at 16198 28th Avenue, Clearlake, CA - No owner representation was present.

Ms. Hanson gave the staff report.

Chair Rushing verified proper notice had been sent to the owner.

On motion of Director Smith and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

David Phillips - APN 041-371-06 - (amount delinquent: \$3,642.86) - property located at 5344 Spruce Avenue, Clearlake, CA - No owner representation was present.

Ms. Hanson gave the staff report.

Chair Rushing verified proper notice had been sent to the owner.

On motion of Director Smith and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

Francis Simmons - APN 039-075-15 - (amount delinquent: \$935.72) - property located at 14241 Woodland Drive, Clearlake, CA - No owner representation was present.

Ms. Hanson gave the staff report.

Chair Rushing verified proper notice had been sent to the owner.

On motion of Director Smith and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

Rainbow Church (c/o Julia Bono) - APN 024-363-09 - (amount delinquent: \$299.60) - property located at 3806 Pearl Avenue, Clearlake, CA - No owner representation was present.

Ms. Hanson gave the staff report.

Chair Rushing verified proper notice had been sent to the owner.

On motion of Director Smith and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

David Canafax - APN 040-034-15 - (amount delinquent: \$986.60) - property located at 3806 Pearl Avenue, Clearlake, CA - No owner representation was present.

Ms. Hanson gave the staff report.

Chair Rushing verified proper notice had been sent to the owner.

On motion of Director Smith and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

Ultra-Shelter Research - APN 039-284-14 - (amount delinquent: \$674.72) - property located at 14955 Saroni Parkway, Clearlake, CA - No owner representation was present.

Ms. Hanson gave the staff report.

Chair Rushing verified proper notice had been sent to the owner.

On motion of Director Smith and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

R and V Louis - APN 041-136-26 - (amount delinquent: \$1,834) - property located at 15933 40th Avenue, Clearlake, CA - No owner representation was present.

Ms. Hanson gave the staff report.

Chair Rushing verified proper notice had been sent to the owner.

On motion of Director Smith and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

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

BACK TO ITEM A-8 - 9:45 A.M. - Consideration of Amendment Four to the Agreement between the County of Lake and Quincy Engineering, Inc. for engineering services for South Main Street/Soda Bay Road Corridor Improvement Project in the amount of \$1,082,603 - Public Works Director Brent Siemer was present.

This item was continued one week, to June 9, 2009, at 9:30 a.m. for further consideration.

There being no further business, the Board adjourned at 2:03 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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