



# MINUTES

## COUNTY OF LAKE

### BOARD OF SUPERVISORS

#### OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MAY 26, 2009

The Honorable Board of Supervisors of Lake County, California, met in regular session this 26<sup>th</sup> day of May, 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-11, with the exception of C-4, which will be taken up immediately after the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors meetings held on April 28, May 5 and May 12, 2009.

Approved Amendment One to the Lake County Community Wildfire Protection Plan Contract between the County of Lake and Tracy Katelman (ForEverGreen Forestry), to provide for reimbursement of special expenses and authorized the Chair to sign.

Approved Budget Transfer B-256 in the amount of \$18,000, for the purchase of AS400 server for HTE finance system, Budget Unit No. 1121 - County Clerk Auditor-Controller, and authorized the Chair to sign.

Approved Right-of-Way Agreement between the County of Lake and Daniel D. Springer and Barbara F. Springer (APN 008-007-15), for the relocation of utility poles and power lines, Big Valley Rancheria Soda Bay Road Improvement Project, and authorized the Chair to sign.

Approved the Transformation Disadvantaged Business Enterprise Implementation Agreement for Local Agencies between the County of Lake and the California Department of Transportation, to insure the continued flow of federal highway funds and authorized the Administrative Officer to sign.

Adopted Resolution No. 2009-77, order approving and accepting road right-of-way (Y-Road - County Road No. 531Q), relinquished by the State of California, Streets and Highways Code Section No. 73.

Approved Plans and Specifications for State Street (Main Street to Gaddy Lane), pavement rehabilitation and accessibility improvements and authorized Public Works Director/Assistant Purchasing Agent to advertise for bids.

Adopted Resolution No. 2009-78, notice of intention to transfer County property (police canine Shenoe to Correctional Officer Hank Comstock), not required for public use, pursuant to Government Code Section 25363, and set public hearing on June 2, 2009, at 9:15 a.m.

Adopted Resolution No. 2009-79, notice of intention to transfer County property (police canine Axel to deputy Richard Ward), not required for public use, pursuant to Government Code Section 25363, and set public hearing on June 2, 2009, at 9:20 a.m.

Waived the 900 hour limit for extra-help Eligibility Worker Clare Stenge (to a maximum of 938 hours).

2. **CONSENT AGENDA ITEM C-4 - (a) Consideration of proposed Resolution establishing 2009/2010 appropriations limit for the County of Lake; and (b) Consideration of proposed Resolution establishing 2007/2008 appropriations limit for special districts governed by the Board of Supervisors** - County Administrative Officer Kelly Cox noted a typographical error on Item (b) that was listed on the Agenda.

Supervisor Smith offered Resolution No. 2009-80, establishing 2009/2010 appropriations limit for the County of Lake, and it was passed by roll call vote (5 ayes).

Supervisor Smith offered Resolution No. 2009-81, establishing 2009/2010 appropriations limit for special districts governed by the Board of Supervisors, and it was passed by roll call vote (5 ayes).

3. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Care and Control Officer Eric Wood presented three felines currently available for adoption.

4. **ITEM A-4 - Current Construction Projects - Contract Change Orders**: Deputy Redevelopment Director Eric Seely reported to the board about upcoming change orders for the Lucerne Sidewalk Project.

No action was taken on this item.

5. **ITEM A-14 - Consideration of request for Board direction regarding ballots sent to County departments for Vector Control District's proposed benefit assessment** - County Administrative Officer Kelly Cox presented the staff report.

There was Board consensus to direct staff to retain all ballots allotted to properties owned by the County of Lake and not cast them.

6. **ITEM A-5 - Continued from May 12, 2009 - 9:15 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** - At the request of the Administrative Office, this item was continued one week, to June 2, 2009, to allow for input from the Fire Districts.

7. **ITEM A-15 - Update on the emergency action taken on December 9, 2008, regarding the prohibition of fish stocking by the Department of Fish and Game in water bodies of Lake County** - County Counsel Anita Grant gave the staff report.

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

8. **ITEM A-6 - 9:30 A.M. - Overview of the First 5 Regional Impact Report by First 5 Executive Director Tom Jordan** - First 5 Executive Director Tom Jordan gave a presentation to the Board.

This item was informational only. There was no action taken on this item.

9. **ITEM A-7 - Continued from April 7, 2009 - 9:45 A.M. - Discussion/consideration of proposed letters to Assembly Member Chesbro and Senator Wiggins, in opposition to AB 479 (Chesbro), which would increase the source reduction and recycling element of the California Integrated Waste Management Act for Counties from 50% to 60% on or after January 1, 2015** - Public Services Director Kim Clymire and Deputy Public Services Director Caroline Chavez were present.

Mr. Clymire presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), opposed Assembly Bill (AB) 479 (Chesbro), directed staff to compose a letter of opposition unless amended to Assembly Member Chesbro, and authorized the Chair to sign.

10. **ITEM A-8 - 10:00 A.M. - Presentation and update by Massey Burke on the Lucerne Community Art Project** - Massey Burke gave a power point presentation to the Board.

This item was informational only. There was no action taken on this item.

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

11. **ITEM A-9 - 10:15 A.M. - Status report and consideration of alternatives to address the Southeast Regional Collection System Clean-Up and Abatement Order and request for Board direction regarding the use of the consultant selection process** - Chair Rushing announced this item was incorrectly placed on today's agenda. It has been rescheduled for June 23, 2009, at 9:30 a.m.

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

12. **ITEM A-13 - Discussion/consideration of a loan from the General Fund to the Mental Health Fund to pay past due invoices from various service providers** - County Administrative Officer Kelly Cox gave the staff report.

Supervisor Brown offered Resolution No. 2009-82, cancelling designated reserves for building and infrastructure projects to provide for a loan to the Mental Health Fund, and it was passed by roll call vote (5 ayes).

13. **ITEM A-12 - Update on Water Resources Budget and request for Board direction regarding possible staff reductions** - Public Works Director Brent Siemer and Deputy Public Works Director Water Resources Pam Francis were present.

Mr. Siemer presented the staff report.

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

There was Board consensus to revisit the discussion regarding possible staff reductions in the Water Resources Division during the 2009/2010 Budget Hearings.

14. **ITEM A-16 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCEA and DDAA 2. Public Employee Performance Evaluation: Title: Public Services Director** - Chair Rushing announced there were no labor negotiations scheduled for today, and that the Board would now go into Closed Session for the reason stated on the agenda.

The Board returned to Regular Session with no action taken at 12:10 p.m.

After a lunch recess, the Board reconvened at 1:30 p.m. as the Board of Directors of the Lake County Sanitation District.

15. **ITEM A-10 - 1:30 P.M. - ORDER TO SHOW CAUSE - SEWER SERVICE DISCONNECTION HEARINGS: Roland Herbst - APN 041-253-42 - (amount delinquent: \$1,848.86) - property located at 16407 35<sup>th</sup> Avenue, Clearlake, CA; Roland Herbst - APN 039-115-15 - (amount delinquent: \$1,311.53) - property located at 13945 Manatee Avenue, Clearlake, CA; Dorothy Cantrell - APN 024-366-02 - (amount delinquent: \$997.60) - property located at 21304 State Highway 175, Middletown, CA; Marilyn Carr - APN 041-191-49 - (amount delinquent: \$1,797.98) - property located at 16056 31<sup>st</sup> Avenue, Clearlake, CA; Floyd Cox - APN 041-195-10 - (amount delinquent: \$616.64) - property located at 16221 32<sup>nd</sup> Avenue, Clearlake, CA; Ed Eckl - APN 039-284-07 - (amount delinquent: \$1,207) - property located at 14981 Saroni Parkway, Clearlake, CA; Gregory Ewing - APN 039-473-51 - (amount delinquent: \$1,440.76) - property located at 3412 Grey Avenue, Clearlake, CA; Howard Gillespie - APN 041-131-42 - (amount delinquent: \$712.43) - 15835 41<sup>st</sup> Avenue, Clearlake, CA; Joanne Hall-Alves - APN 042-111-01 - (amount delinquent: \$3,496.40) - property located at 6025 Spruce Avenue, Clearlake, CA; Julia Johns - APN 041-403-25 - (amount delinquent: \$3,675.86) - property located at 15654 31<sup>st</sup> Avenue, Clearlake, CA; Posey Kaufman - APN 041-182-25 - (amount delinquent: \$1,093.20) - property located at 16118 34<sup>th</sup> Avenue, Clearlake, CA** - Special Districts Administrator Mark Dellinger, Fiscal Officer Janet Coppinger and Customer Service Supervisor Karen Hanson were sworn in by the Clerk.

**Roland Herbst - APN 041-253-42 - (amount delinquent: \$1,848.86) - property located at 16407 35<sup>th</sup> 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 Comstock and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

**Roland Herbst - APN 039-115-15 - (amount delinquent: \$1,311.53) - property located at 13945 Manatee Avenue, Clearlake, CA** - No owner representation was present.

Ms. Hanson gave the staff report.

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MAY 26, 2009**

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

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

**Dorothy Cantrell - APN 024-366-02 - (amount delinquent: \$997.60) - property located at 21304 State Highway 175, Middletown, CA** - No owner representation was present.

Ms. Hanson gave the staff report, noting recent phone contact with the property owner.

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

On motion of Director Comstock and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process, if the account was not brought up to date by July 15, 2009.

**Marilyn Carr - APN 041-191-49 - (amount delinquent: \$1,797.98) - property located at 16056 31<sup>st</sup> 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 Comstock and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

**Floyd Cox - APN 041-195-10 - (amount delinquent: \$616.64) - property located at 16221 32<sup>nd</sup> 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 Comstock and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

**Ed Eckl - APN 039-284-07 - (amount delinquent: \$1,207) - property located at 14981 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 Comstock and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

**Gregory Ewing - APN 039-473-51 - (amount delinquent: \$1,440.76) - property located at 3412 Grey 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 Comstock and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

**Howard Gillespie - APN 041-131-42 - (amount delinquent: \$712.43) - 15835 41<sup>st</sup> 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 Comstock and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

**Joanne Hall-Alves - APN 042-111-01 - (amount delinquent: \$3,496.40) - property located at 6025 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 Comstock and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

**Julia Johns - APN 041-403-25 - (amount delinquent: \$3,675.86) - property located at 15654 31<sup>st</sup> 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 Comstock and by vote of the Board (5 ayes), authorized Special Districts to proceed with the disconnection process.

**Posey Kaufman - APN 041-182-25 - (amount delinquent: \$1,093.20) - property located at 16118 34<sup>th</sup> 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.

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MAY 26, 2009**

On motion of Director Comstock 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.

There being no further business, the Board adjourned at 2:13 p.m.

\_\_\_\_\_  
Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Mireya G. Turner  
Assistant Clerk of the Board