



# MINUTES COUNTY OF LAKE BOARD OF SUPERVISORS

## MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD NOVEMBER 17, 2009

The Honorable Board of Supervisors of Lake County, California, met in regular session this 17<sup>th</sup> day of November, 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 the moment of silence, Supervisor Smith 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-12, with the exception of C-5 which was carried over two weeks, to December 1, 2009.

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

Adopted Proclamation commending Sandie Elliott for her service and efforts in saving and rehabilitating many Lake County wildlife species and for educating the community on the importance of conservation of both wildlife and its habitats.

Adopted Proclamation designating the month of December, 2009, as National Drunk and Drugged Driving (3D) Prevention Month in Lake County.

Appointed Gerald Chaney to the Lake/Mendocino Area Agency on Aging (AAA) Governing Board (member at large category) for a term ending December 31, 2011.

Adopted Resolution No. 2009-209 amending Resolution No. 2009-180, establishing position allocations to conform to the Fiscal Year 2009/2010 Final Budget, Budget Unit No. 2602 - Building and Safety (continuation of the two Building Inspector I/II allocation with one position funded through December 31, 2009).

Adopted Resolution No. 2009-210 appropriating unanticipated revenue in the amount of \$26,002 (received from the State of California Department of Health Services), to be used to reach the goals and priorities of the California Title V Plan, Budget Unit No. 4011 - Public Health.

Adopted Resolution No. 2009-211 amending Resolution No. 2009-145 establishing position allocations to conform to the Fiscal Year 2009/2010 Final Budget, Budget Unit No. 4121 - Integrated Waste Management.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-010-24 and all of 024-071-11 - Adventist Health Clearlake Hospital, a corporation), and approved Purchase Agreement between the County of Lake and Adventist Health Clearlake Hospital for State Street Sidewalk Project located in Kelseyville, and authorized the Chair to sign.

Approved in concept a Water Resources Office Coordinator position at the A17 salary grade (\$15.94 to \$19.37 per hour), in Unit No. 4 and a Substance Abuse Programs Coordinator position at the A25 salary grade (\$23.56 to \$28.63 per hour), in Unit No. 3.

Approved the revised 2005/2006 annual report for the Inmate Welfare Trust Fund #460, and the 2006/2007, 2007/2008 and 2008/2009 annual reports for the Inmate Welfare Trust Fund #460.

Approved Fiscal Year 2010 Operating and Financial Plan for Controlled Substance Operations between the County of Lake and U.S. Forest Service, for reimbursable services provided by law enforcement in the Mendocino National Forest and authorized the Chair to sign.

**Consent Agenda Item C-5 - Discussion/consideration of request to authorize the destruction of Time Reports and Hours Proofs for Fiscal Year 2003/2004 and earlier; Vacation and Sick Leave Accruals for Fiscal Year 2003/2004 and earlier (retain year end balances); Quarter to Date Reports for Fiscal Year 2003/2004 and earlier; Department Time Sheets for Fiscal Year 2003/2004 and earlier; Unsecured Tax Rolls for Fiscal Year 2003/2004 and earlier; Secured Tax Rolls for Fiscal Year 1996/1997 and earlier; Paid Warrants for Fiscal Year 2003/2004 and earlier; and Paid Claims and Invoices for Fiscal Year 2003/2004 and earlier; and Deposit Permits for Fiscal Year 2003/2004 and earlier** - At the request of Chair Rushing, this item was carried over two weeks, to December 1, 2009.

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

The Board of Supervisors adjourned and convened as the Board of Directors of the Kelseyville County Water Works District No. 3.

**Change Order No. 1 - Kelseyville County Water Works District No. 3** - This change order addresses an agreement to comply with recent changes in the Davis-Bacon prevailing wage requirements, required by the funding agency to fulfill ARRA funding requirements. This is a NO COST change order.

Special Districts Administrator Mark Dellinger gave the staff report.

On motion of Director Brown and by vote of the Board (5 ayes), approved Change Order No. 1, TerraCon Pipelines, Inc., and authorized the Chair to sign.

The Board of Directors of the Kelseyville County Water Works District No. 3 and reconvened as the Board of Supervisors.

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3. **ITEM A-14 - Discussion/consideration of Fourth Amendment to the Agreement between the County of Lake and Crestwood Behavioral Health, Inc., for mental health services (decreasing the maximum reimbursement from \$251,850 to \$130,000)** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Fourth Amendment to the Agreement between the County of Lake and Crestwood Behavioral Health, Inc., for mental health services (decreasing the maximum reimbursement from \$251,850 to \$130,000), and authorized the Chair to sign.
4. **ITEM A-5 - 9:10 A.M. - (a) Presentation by Team DUI regarding participation by local organizations to reduce/prevent underage drinking and driving under the influence; and (b) Presentation of Proclamation designating the month of December, 2009, as National Drunk and Drugged Driving (3D) Prevention Month in Lake County** - (a) The following members of Team DUI gave a presentation to the Board: District Attorney Jon Hopkins, Congressman Thompson's Field Representative Brad Onorato, State Assemblymember Wes Chesbro's Field Representative Ruth Valenzuela, Lynn Darst and City of Clearlake Councilmember Judy Thein.  
  
(b) Supervisor Comstock read the proclamation into the record and presented it to Judy Thein. Many members of Team DUI were present.
5. **ITEM A-6 - 9:15 A.M. - HEARING - Nuisance abatement assessment confirmation and proposed recordation of Notice of Lien in the amount of \$12,014.92, on property located at 9343 Stagecoach Lane, Lower Lake (APN 049-072-12 - Ava Woodvine)** - Code Enforcement Manager Voris Brumfield was sworn in by the Clerk.  
  
Neither the owner, nor representation was present.  
  
Ms. Brumfield gave a power point presentation to the Board.  
  
On motion of Supervisor and by vote of the Board (5 ayes), confirmed the assessment of \$12,014.92 for nuisance abatement on property located at 9343 Stagecoach Lane, Lower Lake, CA (APN 049-072-12 - Ava Woodvine), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.  
  
The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Redevelopment Agency.
6. **ITEM A-7 - 9:20 A.M. - PUBLIC HEARING - Proposed purchase of real property consisting of land located at 3555 Lakeshore Boulevard, Nice, CA (APN 032-135-16), the agreed purchase price is \$102,000 and the seller is JP Morgan Mortgage Acquisition Corporation (Select Portfolio Servicing, Inc., Attorney-in-Fact)** - Deputy Redevelopment Director Eric Seely 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. 2009-212, and it was passed by roll call vote (4 ayes, Director Brown NO).
7. **ITEM A-8 - 9:45 A.M. - PUBLIC HEARING - Consideration of proposed Replacement Housing Plan for property located at 12559 East State Highway 20, Clearlake Oaks (APN 035-240-10)** - 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. 2009-213, 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.
8. **ITEM A-16 - Consideration of recommendation to award Bid No. 09-07 to Granite Construction in the amount of \$813,482.50, for the construction of Sulphur Bank Drive PM 1.94 Storm Damage Repair Project** - On motion of Supervisor Smith and by vote of the Board (5 ayes), awarded Bid No. 09-07 to Granite Construction in the amount of \$813,482.50, for the construction of Sulphur Bank Drive PM 1.94 Storm Damage Repair Project.  
  
This item was continued to later in the day to allow staff to submit the proposed agreement for consideration.  
  
The Board of Supervisors adjourned and convened as the Lake County Local Board of Equalization.  
  
The gavel was passed to Lake County Local Board of Equalization Chair Farrington.
9. **ITEM A-18 - Consideration of proposed Findings of Fact - Donald Dallimonti Property Tax Appeal on property located at 13342 Driftwood Village, Clearlake Oaks (APN 035-791-310)** - On motion of Member Smith and by vote of the Board, approved the findings of fact, denied the appeal and upheld the Assessor's opinion of value as follows: \$100,000 for land and \$150,000 for improvements.  
  
The Lake County Local Board of Equalization adjourned and reconvened as the Board of Supervisors.  
  
The gavel was returned to Chair Rushing.
10. **ITEM A-9 - 10:00 A.M. - Discussion/consideration of proposed Resolution supporting "Repair California's" ballot amendments calling a State Constitutional Convention** - Supervisor Farrington introduced the item.  
  
Chair Rushing asked if anyone was present wishing to speak and Joan Moss spoke. No one else was present wishing to speak and the public input portion of this item was closed.  
  
Amendments were made to the proposed resolution.  
  
This item was continued two weeks, to December 1, 2009.
11. **ITEM A-10 - 10:15 A.M. - Presentation of Proclamation commending Sandie Elliott for her service and efforts in saving and rehabilitating many Lake County wildlife species and for educating the community on the importance of conservation of both wildlife and its habitats** - Supervisor Smith read the proclamation into the record and presented it to Sandie Elliott, who spoke.
12. **ITEM A-11 - 10:30 A.M. - Consideration of Resolution authorizing the submission of an Application to the California Emergency Management Agency for funding from the Recovery Act Justice Assistance Grant - Substance Abuse Offender Treatment Program (JAG - OTP)** - Mental Health Director Kristy Kelly and Other Drug Services Coordinator Laura Solis were present.

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Ms. Solis presented the staff summary.

Supervisor Farrington offered Resolution No. 2009-214, and it was passed by roll call vote (5 ayes).

After a brief recess, the Board reconvened into Regular Session at 10:45 a.m.

13. **ITEM A-12 - 10:35 A.M. - Discussion/consideration of proposed California Emergency Management Agency (Cal-EMA), Drug Enforcement Section Grant Application in the amount of \$275,000, to be used for funding the Marijuana Suppression Program** - Sheriff Rod Mitchell introduced the item.

Amendments were made to the application.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the California Emergency Management Agency (Cal-EMA), Drug Enforcement Section Grant Application, as amended, in the amount of \$275,000, to be used for funding the Marijuana Suppression Program, and authorized the County Administrative Officer to sign the grant application.

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Sanitation District and the Board of Directors of the Kelseyville County Waterworks District No. 3.

14. **ITEM A-17 - Discussion/consideration of proposed Amendment No. Two to Agreement between Lake County Sanitation District/Kelseyville County Waterworks District No. 3 and CH2M Hill for engineering services during construction of the Kelseyville Wastewater Treatment Plant improvements in the amount of \$235,800** - Special Districts Administrator Mark Dellinger presented the staff report.

On motion of Director Brown and by vote of the Board (5 ayes), approved Amendment No. Two to Agreement between Lake County Sanitation District/Kelseyville County Waterworks District No. 3 and CH2M Hill for engineering services during construction of the Kelseyville Wastewater Treatment Plant improvements in the amount of \$235,800, and authorized the Chair to sign.

The Board of Directors of the Lake County Sanitation District and the Board of Directors of the Kelseyville County Waterworks District No. 3 adjourned and reconvened as the Board of Supervisors.

- BACK TO #8 - ITEM A-16 - Consideration of recommendation to award Bid No. 09-07 to Granite Construction in the amount of \$813,482.50, for the construction of Sulphur Bank Drive PM 1.94 Storm Damage Repair Project** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the agreement between the County of Lake and Granite Construction for the construction of Sulphur Bank Drive PM 1.94 Storm Damage Repair Project, in the amount of \$813,482.50, and authorized the Chair to sign.

16. **ITEM A-15 - Consideration of recommendation for award of Bid No. 10-15 for the purchase of one new 2009/2010 full size 4-wheel drive, extended cab/super cab dual rear wheel, flat-bed truck** - There was Board consensus to direct staff to research the purchase of a similar used vehicle among local vendors.

This item was continued two weeks, to December 1, 2009.

17. **CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: DDAA and LCEA** - Chair Rushing announced there would be no negotiations.

There being no further business, the Board adjourned at 11:37 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