

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD AUGUST 10, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 10th day of August, 2010 there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Rob Brown and Anthony Farrington, 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 Farrington. Following a moment of silence, Water Resources Director Scott DeLeon 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-13, with the exception of Consent Agenda Item C-6, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors meeting held on August 3, 2010.

Adopted Proclamation designating the week of August 8 through 14, 2010, as National Community Health Center Week in Lake County.

Appointed Dennis Fordham to the Law Library Board of Trustees, for a term expiring January 1, 2011.

Reappointed Judy Thein to the Lower Lake Cemetery District Board of Trustees, for a term expiring January 1, 2014.

Approved letters to Senator Wiggins and Assemblyman Chesbro in opposition to AB 2456 (Torrico), relative to Emergency Medical Services, and authorized the Chair to sign.

Approved proposed modifications to Rooftop Telecommunication Facility, per Agreement between the County of Lake and Edge Wireless/AT&T Mobility (facility located at 255 North Forbes Street, Lakeport), and authorized the Chair to sign.

Adopted Resolution No. 2010-139, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated June 2, 2010 (Metal Beam Guard Rail Repair on Butts Canyon Road, Middletown (PM 9.57), and Morgan Valley Road, Lower Lake (PM 1.94) (Bid No. PW 10-02)).

Adopted Resolution No. 2010-140, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated May 4, 2010 (2005/2006 Storm Damage Repair; Kelsey Creek Drive, Kelseyville (PM 3.4) (Bid No. PO 10-04)).

Adopted Resolution No. 2010-141, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated May 24, 2010 (2005/2006 Storm Damage Repair; Elk Mountain Road, Upper Lake (PM 3.87 to PM 3.89) (Bid No. PO 10-01)).

(a) Waived the Policy for Review and Selection of Professional Consultants and Other Contract Service Providers, determining it to not be in the County's best interest to follow this policy; and

(b) Approved Agreement between County of Lake and Stantec Consulting Corporation for soil and gas investigation services at the Central Garage, amount not to exceed \$27,000, and authorized the Chair to sign.

Approved Amendment One to Agreements between the County of Lake and Sierra Air, Cutting Edge, A&P Helicopter and PJ Helicopter (modifying the term of service, with no increase in amounts), and authorized the Chair to sign.

Sitting as the Lake County Local Board of Equalization, accepted Stipulation for a Change in Assessment for Lany Lakeport, LP, A California Limited Partnership, Kmart Corp, Assessee, on property located at 2019 South Main Street, Lakeport, CA (APN 005-045-400-000), for changes in the values of the following: Land from \$2,477,556 to \$2,000,000 and Improvements from \$4,519,001 to \$3,890,000 for the 2009/2010 Tax Year.

Consent Agenda Item C-6 - Discussion/consideration of proposed Resolution authorizing the execution of Contract with California Department of Food and Agriculture for Hydrilla Dredging Project - Water Resources Director Scott DeLeon presented the staff report.

Chair Farrington asked if anyone was present wishing to speak and Cheri Holden spoke. No one else was present wishing to speak and the public input portion of this item was closed.

Supervisor Comstock offered Resolution No. 2010-142, and it was passed by roll call vote (5 ayes).

CITIZEN'S INPUT - Cheri Holden presented a short film from the We Love Tule Film Festival.

2. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Intention to name existing unnamed road in Lake County (Baylis Cove Road) located off Point Lakeview Road in the Lower Lake area** - Public Works Director Brent Siemer presented the staff report.

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

On motion of Supervisor Comstock and by vote of the Board (5 ayes), named the existing unnamed road in Lake County (Baylis Cove Road) located off Point Lakeview Road in the Lower Lake area.

3. **ITEM A-12 - Advanced from August 3, 2010 - Consideration of proposed Ordinance amending the charges and fees for County Service Area (CSA) #13 - Kono Tayee (Second Reading)** - Supervisor Comstock offered Ordinance No. 2928, and it was passed by roll call vote (5 ayes).

4. **ITEM A-13 - Consideration of request to waive Travel Policy Section 1.4.E and allow for payment of \$678.23 to be paid for late travel claims** - County Administrative Officer Kelly Cox presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), waived Travel Policy Section 1.4.E and allow for payment of \$678.23 to be paid for late travel claims.

5. **ITEM A-6 - 9:30 A.M. - Presentation of Proclamation designating the week of August 8 through 14, 2010, as National Community Health Center Week in Lake County** - Supervisor Rushing read the Proclamation into the record.

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

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6. **ITEM A-14 - Consideration of recommended Bid Award for Lucerne Third Avenue Plaza Project, Bid No. 10-47** - Deputy Redevelopment Director Eric Seely presented the staff report.

On motion of Director Rushing and by vote of the Board (5 ayes), awarded Bid No. 10-47, Lucerne Third Avenue Plaza Project, to KAT Construction, in the amount of \$788,983, and authorized the Chair to sign the Notice of Bid Award and Agreement.

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

7. **ITEM A-7 - 9:35 A.M. - (a) Consideration of proposed Resolution electing to cease to be subject to the Public Employee's Medical and Hospital Care Act (CalPERS Health Plan coverage for County employees); (b) Discussion/consideration of request to approve transfer to the CSAC EIA Health Plan for County employees, effective January 1, 2011, as recommended by the County's Group Insurance Committee; and (c) Discussion/consideration of request to approve change in employee dental, group life and voluntary life benefit providers for 2011** - Human Resources Director Kathy Ferguson presented the staff report, and requested the withdrawal of the Deputy Sheriffs' Association from consideration of the above item.

Chair Farrington asked if anyone was present wishing to speak and Mike Powers spoke. No one else was present wishing to speak and the public input portion of this item was closed.

(a) Supervisor Brown offered Resolution 2010-143, electing to cease to be subject to the Public Employee's Medical and Hospital Care Act only with respect to Elected Officials, and it was passed by roll call vote (5 ayes).

Supervisor Brown offered Resolution 2010-144, electing to cease to be subject to the Public Employee's Medical and Hospital Care Act only with respect to Management and Confidential Units, and it was passed by roll call vote (5 ayes).

Supervisor Brown offered Resolution 2010-145, electing to cease to be subject to the Public Employee's Medical and Hospital Care Act only with respect to Lake County Employee's Association, and it was passed by roll call vote (5 ayes).

Supervisor Brown offered Resolution 2010-146, electing to cease to be subject to the Public Employee's Medical and Hospital Care Act only with respect to Lake County Correctional Officer's Association, and it was passed by roll call vote (5 ayes).

Supervisor Brown offered Resolution 2010-147, electing to cease to be subject to the Public Employee's Medical and Hospital Care Act only with respect to Lake County Deputy District Attorney's Association, and it was passed by roll call vote (5 ayes).

(b) On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the transfer to the CSAC EIA Health Plan for County employees, effective January 1, 2011, as recommended by the County's Group Insurance Committee.

(c) On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the change in employee dental, group life and voluntary life benefit providers for 2011.

After a brief recess, the Board reconvened into Regular Session at 10:04 a.m.

8. **ITEM A-15 - Discussion/consideration of request for authorization to submit a Fiscal Year 2010/2011 State Domestic Preparedness (Homeland Security) Grant Application, in the amount of \$227,000, for the enhancement of capability to prevent, respond to, and recover from terrorist attacks, major disasters and other emergencies** - Sheriff Rod Mitchell gave a brief summary to the Board.

Supervisor Brown offered Resolution 2010-148, and it was passed by roll call vote (5 ayes).

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

9. **ITEM A-8 - 10:00 A.M. - Consideration of proposed Option to Purchase Real Property located at 3700 Country Club Drive and 6607/6607B 14th Avenue, Lucerne, CA (Lucerne Hotel/Lucerne Castle property; "Optioner" is Castlepoint Ministries)** - Redevelopment Agency Director Kelly Cox presented the staff report.

Chair Farrington asked if anyone was present wishing to speak and the following people spoke in support of the proposal: Tyra St. John, Lourdes Thuesen, Wally Holbrook, Lyndon Ernst and Donna Christopher. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Director Rushing and by vote of the Board (5 ayes), approved the Option to Purchase Real Property located at 3700 Country Club Drive and 6607/6607B 14th Avenue, Lucerne, CA (Lucerne Hotel/Lucerne Castle property; "Optioner" is Castlepoint Ministries), and authorized the Chair to sign.

This item was taken up again later in the day.

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

10. **ITEM A-16 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert, M. Perry and J. Hammond; and (b) Employee Organization: DSA AND LCCOA; and 2. Public Employee Performance Evaluation: Title: Special Districts Administrator** - Chair Farrington announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 11:44 a.m. with no action taken.

The Board of Supervisors adjourned and convened as the Lake County Local Board of Equalization.

10. **ITEM A-9 - 11:30 A.M. Assessment Appeal Hearings:**

(a) Veronica Tedeschi - Application No. 246-2009 - APN 041-213-200-000; located at 16194 33rd Avenue, Clearlake, CA - Chair Farrington announced this appeal has been withdrawn and will not be taken up today.

(b) John Robles - Application No. 150-2009 - APN 035-324-030-000; located at 11536 Konocti Drive, Clearlake Oaks, CA - Chief Deputy Assessor-Recorder Jim Campbell, Appraiser Debbie Olsen, John Robles and William Delaney were sworn in by the Clerk.

Mr. Campbell presented the staff report.

Mr. Robles and Mr. Delaney gave testimony.

On motion of Member Brown and by vote of the Board (4 ayes, Member Rushing NO), denied the appeal.

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

BACK TO #9 - ITEM A-8 - ITEM A-8 - 10:00 A.M. - Consideration of proposed Option to Purchase Real Property located at 3700 Country Club Drive and 6607/6607B 14th Avenue, Lucerne, CA (Lucerne Hotel/Lucerne Castle property; "Optioner" is Castlepoint Ministries) - County Administrative Officer Kelly Cox presented a request to authorize travel expenses (to be paid by Redevelopment funds) for a representative of Mendocino Community College to accompany County staff to California Polytechnical State University Pomona to investigate the possibility of establishing a Hospitality/Culinary Educational Center at the Lucerne Hotel property.

On motion of Director Brown and by vote of the Board (5 ayes), approved travel expenses (to be paid by Redevelopment funds) for a representative of Mendocino Community College to accompany County staff to California Polytechnical State University Pomona.

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

After a lunch recess, the Board reconvened into Regular Session at 1:30 p.m. Supervisors Comstock and Smith were absent.

11. ITEM A-10 - Continued from June 22, 2010 - 1:30 P.M. - PUBLIC HEARING - Appeal (AB 10-02) of Veronica Fisher (El Dorado Motel) of the Planning Commission's denial of Administrative Appeal (AA 09-04) to the Notice of Violation issued on September 9, 2009, in conjunction with Case #RC30, for the conversion of a motel to a combination permanent living establishment along with transient occupancy facilities; located at 3955 Lakeshore Boulevard, Lakeport, CA (APN 029-231-78) - Veronica Fisher was present.

At the request of the Appellant's attorney, on motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Comstock and Smith ABSENT) continued this item five weeks, to September 14, 2010, at 1:30 p.m.

There being no further business, the Board adjourned at 1:34 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya Turner
Assistant Clerk of the Board