

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 23, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 23rd day of February, 2010, there being present Supervisors Jeff Smith, Denise Rushing, Rob Brown and Jim Comstock, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt. Supervisor Anthony Farrington was absent all day.

The meeting was called to order at 9:01 a.m. by Chair Comstock. Following the moment of silence, Supervisor Smith led the salute to the flag of the United States of America.

1. **ITEM A-1 - 9:00 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the Consent Agenda Items C-1 through C-5.

Approved Minutes of the Board of Supervisors meeting held on February 16, 2010.

Adopted Resolution No. 2010-38, reappointing Steven Hajik as Agricultural Commissioner and Sealer of Weights and Measures for a four-year term.

Waived the 900 hour limit for extra-help employees Darla Lewis (approximately 1,400 hours), Sharon Parks (approximately 1,100 hours) and Geraldine Brown (approximately 960 hours).

Waived the 900 hour limit for extra-help employee Larry Platz (60 additional hours).

Adopted Resolution No. 2010-39, authorizing the Director of Public Works to sign State Water Resources Control Board Grant establishing funding for Clear Lake Watershed Mercury and Nutrient Assessment.

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

The Board of Supervisors adjourns and convenes as the Board of Directors of Lake County Redevelopment Agency.

Contract Change Order No. 1 - Lucerne 3rd Avenue Plaza Pier Project - This change order address the opportunity to substitute the specified steel sheet piles used in the sea wall with superior steel sheet pile, at less cost. Stewart Engineering's supplier is offering to discount a new and used inventory for a savings of \$9,432.50. This will be applied as a credit towards the pier.

Deputy Redevelopment Director Eric Seely was present and provided an overview of the changes to the contract.

On motion of Director Rushing and by vote of the Board (4 ayes, Director Farrington ABSENT), approved Change Order No. 1 for an decrease of \$908.50, Stewart Engineering, Inc., Lucerne 3rd Avenue Plaza Pier Project and authorized the Chair to sign.

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

Contract Change Order No. 1 - 2005/2006 Storm Damage Repair - Sulphur Bank Drive PM 1.94 - This change order addresses the need to replace "Concrete Barrier-Type 25 Modified" with a heavier duty "Concrete Barrier - Type 732A".

On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved Change Order No. 1 for an increase of \$11,515, Granite Construction Company, 2005/2006 Storm Damage Repair - Sulphur Bank Drive PM 1.94, and authorized the Chair to sign.

3. **CITIZEN'S INPUT** - Mr. Phil Murphy had concerns regarding the fiscal impact on small businesses if the development of the Lowe's project in the City of Clearlake is approved.

4. **ITEM A-9 - Appointment of District 2 Planning Commissioner** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), appointed Bob Malley as District 2 Planning Commissioner.

Registrar of Voters Diane Fridley swore in Bob Malley as District 2 Planning Commissioner.

5. **ITEM A-5 - 9:15 A.M. - Discussion/consideration of funding a garden water system and other improvements needed to establish a Community Garden in Lucerne** - Supervisor Rushing gave an overview of the benefits a community garden would provide and asked the Board to consider funding that has been set aside for the Lucerne FLOW study, and the process is still unresolved. Most of the money for the study has been diverted to the repairs at the Lucerne Senior Center. The amount remaining in the budget is \$4,250 and is insufficient to complete the Lucerne FLOW study.

Supervisor Brown stated that businesses and many individual residents throughout the County have a surplus of garden supplies, such as driplines, soil, fertilizer, etc., that could be donated for this project.

Chair Comstock asked if anyone present wished to speak on this item and Mr. Charles Behn and Mr. Jerry Morehouse spoke. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized funding in the amount of \$4,250 that is currently in Budget Unit 1781 (Lucerne FLOW study), for a garden water system and other improvements for the establishment of a Community Garden in Lucerne.

6. **ITEM A-11 - Follow-up report to the Board on recent Economic Development training** - Supervisor Rushing gave a power-point presentation on the Economic Development training course that she attended. The training included building blocks for renewable energy and energy efficiency, independent retail, community capital, local zero-waste manufacturing, green building and sustainable agriculture. The County can assist economic development by improving county run operations, participation in economic development efforts with local business innovators, encourage residents to buy locally if possible, help secure outside incentives (green economy), foster local connections and capabilities, partner to create independent retailer area and partner to aggregate demand to create new local markets.

This was an informational item only. There was no action taken.

7. **ITEM A-15 - Briefing on Mental Health Department's fiscal status and operations** - Mental Health Director Kristy Kelly and Deputy Director for Administrative Services Robert Menicocci were present.

Mr. Menicocci gave a power-point presentation on the department's fiscal status and operations, which included the audit and loan repayment of General Fund monies, realignment funds, new software and staff reductions.

This was an informational item only. There was no action taken.

8. **ITEM A-7 - Consideration of proposed letter to all local postmasters regarding distribution of US Census forms to residents with post office boxes** - There was consensus by the Board for staff to send letter to all post offices in Lake County requesting cooperation to promote the 2010 Census.

After a short recess, the Board reconvened at 10:44 a.m.

9. **ITEM A-16 - Continue from February 16, 2010 - Discussion/consideration of bid award for the purchase of one full size 1- ton 4-wheel drive, single rear wheel, regular cab, long bed pickup for Public Services, Parks and Recreation Division** - Public Works Director Brent Siemer was present and stated that the County's specification matched the base Ford F-350 truck specification and in order to get the extended towing mirrors, the bidders had to include the power option that included door locks, window and power heated mirrors. The only item that the County "added" to the specification was the power winch. Also, on January 28, 2010, Holder Ford reduced their bid from \$32,222.79 to \$31,139.29. It is being recommended to award the bid to Holder Ford.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), awarded Bid No. 10-16, as amended, to Holder Ford in the amount of \$31,139.29, for the purchase of one full size 1-ton 4-wheel drive, single rear wheel, regular cab, long bed pickup for Public Services, Parks and Recreation Division and authorized the Chair to sign bid award.

10. **ITEM A-8 - Advanced from February 16, 2010 - An ordinance authorizing payment of a one time stipend to members of the Board of Supervisors (the same stipend provided for County employees and department heads) - (SECOND READING)** - Supervisor Brown offered Ordinance No. 2917, and it was passed by a roll-call vote (4 ayes, Supervisor Farrington ABSENT).

11. **ITEM A-13 - Review of proposed "new" Chapter 13 - Lake County Uniform Abatement of Public Nuisance Code** - Community Development Director Rick Coel was present and gave an overview of the Lake County Uniform Abatement of Public Nuisance Code.

The Board discussed proposed amendments to the draft.

There was consensus by the Board for staff to prepare an ordinance, with amendments (a "new" Chapter 13 - Lake County Uniform Abatement of Public Nuisance Code), and bring back to the Board at a later date for further consideration.

12. **ITEM A-14 - Consideration of request for conceptual approval of staffing reductions within the Building and Safety Division** - Community Development Director Rick Coel and Chief Building Office David Jezek were present.

Mr. Coel gave an overview of the imbalance between revenues and costs of operations in Building and Safety. In order to sustain the operational expenses by current revenues a reduction of staff levels is necessary.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved in concept the reduction in staffing within the Building and Safety Division and directed the Community Development Director to bring back to the Board at a later date, a formal plan for staff reductions.

13. **ITEM A-10 - Update on issues relative to Southeast Regional Wastewater System** - Special District Administrator Mark Dellinger was present and gave an update on the Southeast Regional Wastewater System and time critical actions and long term measures that need to be implemented that would address the needs of the collection system and the people it serves.

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

14. **ITEM A-12 - Consideration of proposed Resolution amending the County's Personnel Rules related to paid Administrative Leave** - Supervisor Brown offered Resolution No. 2010-40, and it was passed by a roll-call vote (4 ayes, Supervisor Farrington ABSENT).

The Board of Supervisors adjourned for lunch at 12:06 p.m. and reconvened at 1:31 p.m.

15. **ITEM A-17 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCCOA, SDA and DDAA; 2. Public Employee Performance Evaluation - Title: Registrar of Voters; and sitting as the Board of Directors of Lake County Sanitation District - 3. Conference with Legal Counsel - Existing Litigation - Government Code 54956.9 Subdivision (a): Sidetracked Associates dba Featherbed Railroad v. LACOSAN** - Chair Comstock announced that the Board will now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 2:24 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board