

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JUNE 1, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 1st day of June, 2010 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 9:05 a.m. by Chair Farrington. After a moment of silence dedicated to the memory of Clearlake Oaks resident Frank Toney, 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-8, with the exception of the Minutes of the Board of Supervisors meeting held on May 25, 2010 on Consent Agenda Item C-1, which were carried over two weeks, to June 15, 2010. Consent Agenda Item C-5 was taken up again later in the day.

Approved Minutes of the Board of Supervisors meeting held on May 11, 2010.

Appointed incumbent Mary Cardinale-Stein (Sutter Lakeside Hospital category) to the Emergency Medical Care Committee for a term expiring on January 1, 2011.

Adopted Resolution No. 2010-94, approving Agreement No. 10-0134, the Organic Program, with the Department of Food and Agriculture during the period of July 1, 2010 through June 30, 2011, and authorizing execution thereof.

Adopted Resolution No. 2010-95, approving Agreement No. 10-0090 with the State of California, Department of Food and Agriculture for compliance with the Egg Inspection Agreement and authorizing execution thereof.

Adopted Resolution No. 2010-96, amending Exhibit "A" to the County Conflict of Interest Code. (The Board returned to this item later in the day).

Waived 1000-hour limit for extra-help Client Support Assistant II Dow Walton.

Approved Plans and Specifications for Morgan Valley Road PM 5.34 for storm damage repair and authorized Public Works Director/Assistant Purchasing Agent to advertise for bids.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, adopted Resolution No. 2010-97, authorizing the Deputy Redevelopment Director to sign a Notice of Completion for work performed under Agreement for the Lucerne 3rd Avenue Plaza Pier.

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Ben Cheek presented one feline currently available for adoption.

3. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

Extra #1 - Consideration of request to authorize the submittal of Cal-EMA Marijuana Suppression Program II grant application for Fiscal Year 2010/11, in the amount of \$550,000, to be shared with the County of Mendocino, (funding one position each and operational expenses) and authorize the County Administrative Officer to sign the grant application - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

This item was taken up by the Board for the following reason:

This issue came to the department's attention after the posting of the agenda and a decision must be made by the Board before the next meeting.

This item was continued to later in the day.

- BACK TO #1 - ITEM A-1 - APPROVAL OF THE CONSENT AGENDA - CONSENT AGENDA ITEM C-5 - Consideration of proposed Resolution amending Exhibit "A" to the County Conflict of Interest Code** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), rescinded the approval on Consent Agenda Item C-5.

County Administrative Officer Kelly Cox spoke regarding revisions to the list of designated employees (Exhibit A), and recommended that the classification of Building Inspector and Grading and Stormwater Inspector be added to the list.

Supervisor Smith offered Resolution 2010-96, as revised per the recommendation of the County Administrative Officer, and it was passed by roll call vote (5 ayes).

4. **ITEM A-5 - Continued from May 25, 2010 - 9:15 A.M. - Discussion/consideration of changing the yearly burn ban initiation date for years with heavy rainfall and temporarily suspending this year's burn ban** - Air Quality and Control Officer Doug Gearhart was present.

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

By consensus, the Board directed staff to develop options for modifying the effective date of the burn ban in future years, which would enable the County to comply with state regulations, while also meeting the needs of residential and agricultural objectives, and return to the Board with such options at a future date.

5. **ITEM A-14 - Discussion/consideration of proposed Resolution to appropriate unanticipated revenue in the amount of \$40,000 (penalties paid by Wal-Mart, pursuant to Health & Safety Code Section 25515.2) for the establishment of a Capital Equipment and Software System designation in Budget Unit 4010 (Environmental Health)** - Health Services Director Jim Brown, Environmental Health Director Ray Ruminski and Fiscal Manager Denise Pomeroy were present.

Mr. Ruminski presented the staff report.

Supervisor Brown offered Resolution No. 2010-98, and it was passed by roll call vote.

6. **ITEM A-6 - 9:45 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$4,753.05 - 6294 Sixth Avenue, Lucerne, CA (034-113-30 - Ernie Salas)** - Community Development Director Rick Coel was sworn in by the Clerk.

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Neither the owner, nor representation was present.

Mr. Coel presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$4,753.05 - 6294 Sixth Avenue, Lucerne, CA (APN 034-113-30 - Ernie Salas), and authorized the Chair to sign.

7. **ITEM A-15 - Discussion/consideration of proposed First Amendment to the Agreement between County of Lake and Victor Treatment, Inc., for specialty mental health services for Fiscal Years 2008-09 and 2009-10** - Mental Health Director Kristy Kelly presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the First Amendment to the Agreement between County of Lake and Victor Treatment, Inc., for an increase of \$23,400, for specialty mental health services for Fiscal Years 2008-09 and 2009-10, and authorized the Chair to sign.

8. **ITEM A-7 - 10:00 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$2,866.41 - 7127 Morton Street, Nice, CA (030-182-14 - Charlotte Figueras)** - Community Development Director Rick Coel was sworn in by the Clerk.

Neither the owner, nor representation was present.

Mr. Coel presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$2,866.41 - 7127 Morton Street, Nice, CA (APN 030-182-14 - Charlotte Figueras), and authorized the Chair to sign.

After a brief recess, the Board reconvened into Regular Session at 10:22 a.m.

9. **ITEM A-8 - 10:15 A.M. - Discussion/consideration of In Home Supportive Services Advisory Committee (IHSSAC) request to authorize payment of funds to committee members (\$25 per meeting)** - Social Services Director Carol Huchingson, Adult and Housing Services Program Manager Steve Citron and In Home Supportive Services Advisory Committee member Marilyn Johnson were present.

The Board discussed the request and the potential impact the State budget may have on IHSS funding.

No action was taken on this item. This item may return to the Board at a future date, pending adoption of the California State 2010-2011 budget.

10. **ITEM A-9 - 10:25 A.M. - PUBLIC HEARING - Discussion/consideration of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for funding of a Special Victims/Vulnerable Persons Unit** - Sheriff Rod Mitchell presented a brief summary.

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

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the submittal of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for funding of a Special Victims/Vulnerable Persons Unit.

BACK TO #3 - ITEM A-3 - ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:

Extra #1 - Consideration of request to authorize the submittal of Cal-EMA Marijuana Suppression Program II grant application for Fiscal Year 2010/11, in the amount of \$550,000, to be shared with the County of Mendocino, (funding one position each and operational expenses) and authorize the County Administrative Officer to sign the grant application - Sheriff Mitchell presented a summary to the Board.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing NO), authorized the submittal of Cal-EMA Marijuana Suppression Program II grant application for Fiscal Year 2010/11, in the amount of \$550,000, to be shared with the County of Mendocino, (funding one position each and operational expenses) and authorized the County Administrative Officer to sign the grant application.

11. **ITEM A-10 - 10:30 A.M. - Discussion/consideration of proposed resolution declaring intent to adopt a resolution of public use and necessity - Bartlett Springs Road MPM 21.1 (FEMA Project)** - Public Works Director Brent Siemer presented the staff summary.

Supervisor Brown offered Resolution No. 2010-99, and it was passed by roll call vote (5 ayes).

12. **ITEM A-11 - 10:40 A.M. - Discussion/consideration of proposed Resolution approving the application for Nature Education Facility Program funds Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (for Mt. Konocti, Rodman Slough and Clark Island improvements)** - Public Services Director Kim Clymire presented the staff summary.

Supervisor Rushing offered Resolution No. 2010-100, and it was passed by roll call vote (5 ayes).

13. **ITEM A-12 - 10:45 A.M. - Discussion/consideration of proposed Memorandum of Understanding between the County of Lake and Sutter Lakeside Hospital attesting to Sutter Lakeside Hospital's commitment to provide health care to indigent, uninsured and underinsured residents of California (Attestation required for hospital's application to Federal 340B drug purchasing program)** - Sutter Lakeside Representatives Siri Nelson and Chris Arturos presented a summary to the Board.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Memorandum of Understanding between the County of Lake and Sutter Lakeside Hospital attesting to Sutter Lakeside Hospital's commitment to provide health care to indigent, uninsured and underinsured residents of California (Attestation required for hospital's application to Federal 340B drug purchasing program), and authorized the Chair to sign.

After a brief recess, the Board reconvened into Regular Session at 11:30 a.m. Supervisor Brown was absent.

14. **ITEM A-16 - Discussion/consideration of proposed amendments to Candidate Project List for Proposition 1B bond funds** - Public Works Director Brent Siemer presented the staff report.

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Supervisor Brown was present at 11:31 a.m.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Candidate Project List for Proposition 1B bond funds, as presented.

15. **ITEM A-17 - Consideration of request to approve out-of-state travel for Water Resources Engineer Thomas Smythe to Henderson, Nevada, from November 2-5, 2010, to attend the Floodplain Management Association's (FMA) Annual Conference** - Water Resources Director Scott DeLeon presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved out-of-state travel for Water Resources Engineer Thomas Smythe to Henderson, Nevada, from November 2-5, 2010, to attend the Floodplain Management Association's (FMA) Annual Conference.

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

16. **ADDENDUM A-1 - Update on emergency action taken on March 2, 2010, regarding the Southeast Wastewater Collection System - Interim Collection System improvements** - Special Districts Administrator Mark Dellinger presented the staff report.

On motion of Director Comstock and by vote of the Board (5 ayes), determined an emergency still exists.

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 11:50 a.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya Turner
Assistant Clerk of the Board