

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MAY 18, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 18th day of May, 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, 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-13, which will be taken up later in the day.

Approved Minutes of the Board of Supervisors meeting held on April 27, 2010.

Adopted Proclamation designating the week of May 16-22, 2010 as National Public Works Week in Lake County.

Approved Repayment Agreement between the County of Lake and the U.S. Department of Interior Minerals Management Services pertaining to Geothermal Royalties and authorized the County Administrative Officer to sign.

Adopted Resolution No. 2010-83, adopting the Long Term Monitoring Policies and Procedures for Home-Assisted Rental Projects.

(a) Adopted Resolution No. 2010-84, establishing 2010-2011 appropriations limit for the County of Lake; and (b) Adopted Resolution No. 2010-85, establishing 2010-2011 appropriations limits for special districts governed by the Board of Supervisors.

Approved Agreement between the County of Lake and DNA Diagnostics Center for professional services (paternity testing), in the amount of \$5,334 and authorized the Chair to sign.

Waived the 900 hour limit for extra-help Client Support Assistants Dow Walton and David Perata (not to exceed 999 hours).

Adopted Resolution No. 2010-86, amending Resolution No. 2009-145 establishing position allocations to conform to the Fiscal Year 2009/2010 Final Budget, Budget Unit No. 1903 - Department of Public Works (adding one Assistant Public Works Director allocation and deleting one Deputy Director of Public Works-Administration allocation).

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 027-212-14 - North Shore Ministries); and approved Purchase Agreement between the County of Lake and North Shore Ministries, for Upper Lake Main Street Improvement Project and authorized the Chair to sign.

Approved Plans and Specifications for Morgan Valley Road Road PM 5.91 for storm damage repair and authorized Public Works Director/Assistant Purchasing Agent to advertise for bids.

Approved Escrow Agreement between the County of Lake and North Bay Construction for security deposits in lieu of retention for Soda Bay Road Rehabilitation and Overlay (MP 11.5 to 13.8) Project and authorized the Chair to sign.

Waived the 900 hour limit for extra-help Staff Services Analyst Janice Hubbell (an additional 50 hours).

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 canine currently available for adoption.

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

Extra #1 - Consideration of request for waiver of an administrative encroachment permit fee and approve encroachment permit for Nor Cal Boat and Ski Club for boat and ski races on Clear Lake for 2010 - 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 staff's attention after the posting of the agenda and a decision must be made by the Board before the next meeting.

Water Resources Director Scott DeLeon presented the staff summary to the Board.

On motion of Supervisor Brown and by vote of the Board (5 ayes) approved the encroachment permit for Nor Cal Boat and Ski Club for boat and ski races on Clear Lake for 2010.

No Board action was taken regarding the waiver of an administrative encroachment permit fee.

4. **ITEM A-10 - Discussion/consideration of authorization for Mental Health staff to provide out-of-county travel and training costs (in the amount of \$1,100 for registration and hotel rooms, plus the cost of transportation) for clients on June 4-5, 2010, to attend the California Network of Mental Health Clients Far North Training in Willows, California** - Mental Health Director Kristy Kelly presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), authorized Mental Health staff to provide out-of-county travel and training costs (in the amount of \$1,100 for registration and hotel rooms, plus the cost of transportation) for clients on June 4-5, 2010, to attend the California Network of Mental Health Clients Far North Training in Willows, California.

The Board of Supervisors adjourned and convened as the Board of Directors of the Kelseyville County Waterworks District #3.

- BACK TO #1 - APPROVAL OF THE CONSENT AGENDA - Budget Transfer B-255 in the amount of \$57,498 for funding in-house labor for major capital projects for the remainder of the fiscal year, Budget Unit No. 8593-Kelseyville County Waterworks District #3** - Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Coppinger were present.

Mr. Dellinger presented the staff report.

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On motion of Director Brown and by vote of the Board (5 ayes), approved Budget Transfer B-255 in the amount of \$57,498 for funding in-house labor for major capital projects for the remainder of the fiscal year, Budget Unit No. 8593-Kelseyville County Waterworks District #3.

The Board of Directors of the Kelseyville County Waterworks District #3 adjourned and convened as the Board of Directors of the Lake County Sanitation District.

5. **ITEM A-13 - 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 the emergency still exists.

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

6. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Intention to name existing unnamed roads in Lake County (Cold Water Creek Road, Rabbit Valley Road, Binkley Road and Lee Spring Road), located off of High Valley Road and Glenbrook Road in the Cobb Mountain 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 Brown and by vote of the Board (5 ayes), named existing unnamed roads in Lake County (Cold Water Creek Road, Rabbit Valley Road, Binkley Road and Lee Spring Road), located off of High Valley Road and Glenbrook Road in the Cobb Mountain area.

CITIZEN'S INPUT - Ruben Martinez spoke regarding a code enforcement situation regarding the fence around his property.

7. **ITEM A-6 -9:30 A.M. - Presentation of Proclamation designating the week of May 16-22, 2010 as National Public Works Week in Lake** - Supervisor Rushing read the proclamation into the record and presented it to Public Works Director Brent Siemer, who spoke.

Water Resources Director Scott DeLeon was present.

8. **ITEM A-11 - Consideration of Resolution awarding Bid No. PW 10-03 to North Bay Construction in the amount of \$144,450 for construction of the Lakeshore Boulevard Bikeway Project (MP 1.53 to 1.88, MP 2.05 to 3.27 and MP 3.38 to 3.61), located in north Lakeport** - Public Works Director Brent Siemer presented the staff report.

Supervisor Rushing offered Resolution No. 2010-87, and it was passed by roll call vote (4 ayes, Supervisor Brown NO).

There was Board consensus to direct staff to bring an item to the Board for its consideration, regarding the requirement of preference given to contractors deemed federally disadvantaged in the awarding of County contract work.

9. **ITEM A-12 - Update on Public Works Division Administration Division reorganization and request for Board direction concerning possible staff reductions** - Public Works Director Brent Siemer presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved possible staff reductions, in concept and directed staff to bring the item to the Board for consideration.

10. **ITEM A-7 - 9:45 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** - Lakeport Fire Chief Ken Wells was present.

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

Supervisor Brown offered Resolution No. 2010-88, and it was passed by roll call vote (5 ayes).

11. **ITEM A-8 - 10:00 A.M. - (a) Presentation by County Counsel regarding viability of enacting local traffic ordinance allowing administrative citations; and (b) Consideration of letter of opposition to SB 949 (Senator Oropeza) which would preclude such local ordinances** - County Counsel Anita Grant presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), directed staff to write a letter of strong opposition to SB 949 (Senator Oropeza), to be signed by all members of the Board and distributed to our State representatives and the Governor, with copies distributed to California State Association of Counties and the Regional Council of Rural Counties.

12. **ITEM A-14 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert, M. Perry and J. Hammond; and (b) Employee Organization: LCCOA, SDA and DDAA; 2. Personnel - Public Employee Disciplinary Appeal No. EDA 2010-02, Government Code Section 54957; and 3. Conference with Legal Counsel - Existing Litigation - Government Code 54956.9 Subdivision (a): Sidetracked Associates, Inc. - dba Featherbed Railroad v. LACOSAN** - Chair Farrington announced the Board would 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 11:05 a.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya Turner
Assistant Clerk of the Board