

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MAY 4, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 4th 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 9:04 a.m. by Chair Farrington. After a moment of silence, Deputy Sheriff Sergeant Brian Martin 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 Consent Agenda Item C-1, which was carried over one week to May 11, 2010, at departmental request.

Adopted Proclamation designating the week of May 8-16, 2010 as Travel and Tourism Week in Lake County.

Adopted Proclamation designating the month of May, 2010 as National Military Appreciation Month in Lake County.

Adopted Proclamation designating the week of May 2-8, 2010 as National Correctional Officers and Employees Week in Lake County.

Waived the 900 hour limit for extra-help Pest Detection Trapper Alice McCombs (an additional 50 hours).

Approved Lease Agreement between the County of Lake and the Mendocino County Sealer of Weights and Measures for the use of Lake County Weights and Measures truck (\$3,000 for Fiscal Years 2009/2010 and 2010/2011), and authorized the Chair to sign.

Approved additional recommendations from the Reclassification Committee as per memorandum dated April 27, 2010, regarding reclassification requests submitted by County Departments.

Adopted Resolution No. 2010-75, to appropriate unanticipated revenue in the amount of \$21,175 (received from cancelled check #969863), for payment of a Desk Officer Online reporting system - Budget Unit No. 2201- Sheriff-Coroner.

Authorized the re-issuance of stale dated tax refund checks (Moore or Less, Inc. in the amount of \$568.57; Louise Gonyo in the amount of \$703.72; and Kenneth Wilhite in the amount of \$764.78).

CONSENT AGENDA ITEM C-1 - Consideration of proposed Minutes of the Board of Supervisors meeting held on April 27, 2010 - At departmental request, this item was carried over one week to May 11, 2010.

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-4 - Current Construction Projects - Contract Change Orders:**

Change Order #4 - State Street Pavement Rehabilitation & Accessibility Improvements (from Main Street to Gaddy Lane, Kelseyville) - This change order addresses the reduction Bid Item #3, "Construction Area Signs" by 25%, as well as addresses a settlement of claims with the Contractor for the extra paving work that was required around utility poles.

Public Works Director Brent Siemer presented the staff report.

By consensus the Board directed staff to send a letter to PG&E, emphasizing the urgency of timely placement of the light posts in this project, in the interest of public safety and good stewardship of public funds.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved a portion of Change Order No. 4 - State Street Pavement Rehabilitation & Accessibility Improvements (from Main Street to Gaddy Lane, Kelseyville), for an increase of \$14,869.47, Team Ghilotti, Inc., authorized the Chair to sign the amended change order, and directed staff to refuse payment of the remaining \$22,264.00 for home office overhead for work suspensions and extra work items from Team Ghilotti.

Change Order #4 - Storm Damage Repair: Sulphur Bank Drive PM 1.94 - This change order addresses the adding the following items to modify the newly installed concrete retaining wall: 1. Guardrail and treatment; 2. Rock slope protection for erosion control and slope stability; 3. Modify the "V" ditch; and 4. Add AC dike -

Public Works Director Brent Siemer presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Change Order #4 - Storm Damage Repair: Sulphur Bank Drive PM 1.94 - Granite Construction Company, in an amount not to exceed \$36,000.00, and authorized the Public Works Director/Assistant Purchasing Agent to sign the change order.

4. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating the month of May, 2010 as National Military Appreciation Month in Lake County** - Supervisor Comstock read the proclamation into the record and presented it to United States Army Specialist Nelson.
5. **ITEM A-6 - 9:15 A.M. - Presentation of Proclamation designating the week of May 2-8, 2010 as National Correctional Officers and Employees Week in Lake County** - Supervisor Brown read the proclamation into the record and presented it to Correctional Sergeant Renee Leffler. Sheriff Rod Mitchell spoke.

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

6. **ITEM A-7 - 9:30 A.M. - PUBLIC HEARING - Discussion/consideration of a modification to the previously approved lease of property (one bedroom apartment), located at 3605 Lakeshore Boulevard, Nice, CA (APN 032-133-35)** - County Administrative Officer Kelly Cox presented the staff report.

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

Director Rushing offered Resolution No. 2010-76, 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.

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7. **ITEM A-14 - (a) Discussion/consideration of proposed Resolution to appropriate unanticipated revenue in the amount of \$11,500 (funding from the Department of Boating and Waterways), for the purchase of one 3 person personal watercraft and trailer - Budget Unit No. 2205 - Marine Patrol; and (b) Discussion/consideration of request to award Bid No. 10-38 in the amount of \$10,562, to Hillside Honda, for the purchase of one 3 person personal watercraft and trailer - Sheriff Mitchell gave a brief summary.**

A typographical error on the resolution was corrected.

(a) Supervisor Brown offered Resolution No. 2010-77, as amended, and it was passed by roll call vote (5 ayes).

(b) On motion of Supervisor Comstock and by vote of the Board (5 ayes), awarded Bid No. 10-38, in the amount of \$10,562, to Hillside Honda, for the purchase of one 3-person personal watercraft and trailer, and authorized the Chair to sign the bid award.

8. **ITEM A-11 - Continued from April 27, 2010 - Update from the Code Enforcement Division concerning current case load, examples of voluntary compliance and other statistical information** - Community Development Director Rick Coel, and Code Enforcement Officers Allison Garrett and Roderic Hilliard gave a power point presentation to the Board.

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

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

9. **ITEM A-17 - Discussion/consideration of a written report of urgency status and the extension of an urgency measure adopting Interim Ordinance establishing temporary restrictions upon connections to the Southeast Regional Wastewater System** - Special Districts Administrator Mark Dellinger presented the staff summary.

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

10. **ITEM A-18 - Discussion/consideration of request from Burns Valley LLC to transfer sewer entitlement from APN 010-026-31 (14800 Olympic Drive, Clearlake) to APN 010-026-36 (14804 Olympic Drive, Clearlake)** - Special Districts Administrator Mark Dellinger presented the staff summary.

Chair Farrington asked if anyone was present wishing to speak and Joan Moss spoke. No one else was present wishing to speak and the public input on this item was closed.

On motion of Director Smith and by vote of the Board (5 ayes), transferred one sewer entitlement from APN 010-026-310-000 (14800 Olympic Drive, Clearlake) to APN 010-026-360-000 (14804 Olympic Drive, Clearlake).

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

11. **ITEM A-12 - (a) Discussion/consideration of request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County for the purchase of one vehicle; and (b) Consideration of request to authorize the Public Works Director/Purchasing Agent to issue a purchase order to Holder Ford in the amount of \$22,443.56 for the purchase of one 2010 Ford Crown Victoria** - Public Works Director Brent Siemer presented the staff summary.

This item was continued to later in the day to allow for further departmental research.

12. **ITEM A-13 - Discussion/consideration of request to award Bid No. 10-15 in the amount of \$53,668, to Holder Ford, for the purchase of one 2010-2011 full size 4 wheel drive, extended cab/super cab, dual rear wheel, flat-bed truck (with snow plow)** - Public Works Director Brent Siemer presented the staff summary.

This item was continued one week, to May 11, 2010.

- BACK TO #11 - ITEM A-12 - ITEM A-12 - (a) Discussion/consideration of request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County for the purchase of one vehicle; and (b) Consideration of request to authorize the Public Works Director/Purchasing Agent to issue a purchase order to Holder Ford in the amount of \$22,443.56 for the purchase of one 2010 Ford Crown Victoria** - Public Works Director Brent Siemer was present.

County Administrative Officer Kelly Cox presented additional information.

There was no action taken on this item.

13. **ITEM A-15 - Discussion/consideration of proposed License Agreement between the County of Lake and Dave Hendrick (representing HAM Radio Operators of Lake County), for use of space on Buckingham Peak Communications Tower for emergency communication purposes** - Public Services Director Kim Clymire presented the staff summary.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the License Agreement between the County of Lake and Dave Hendrick (representing HAM Radio Operators of Lake County), for use of space on Buckingham Peak Communications Tower for emergency communication purposes, and authorized the Chair to sign the agreement.

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Air Quality Management District.

14. **ITEM A-16 - Discussion/consideration of an appointment to the Lake County Air Quality Management District Hearing Board(Public Representative)** - On motion of Director Brown and by vote of the Board (5 ayes), appointed James Harvey to the Lake County Air Quality Management District Hearing Board (Public Representative), for a term to expire April 27, 2013.

There was Board consensus to direct staff to send Mr. Wilcox a letter expressing their sincere appreciation for his 19 years of service on the hearing board.

The Board of Directors of the Lake County Air Quality Management District adjourned and convened as the Lake County Local Board of Equalization.

15. **ITEM A-8 - 11:15 A.M. - Assessment Appeal Hearings:**

(a) Tesoro Sierra Properties (Agent Peter Kotschedoff) - Application No. 3-2008 - 975 South Main Street, Lakeport, CA - APN 990-050-539 - Chief Deputy Assessor-Recorder Jim Campbell presented two proposed stipulations to the Board.

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On motion of Member Rushing and by vote of the Board (5 ayes), approved the stipulations, accepting the change in assessment in the following values:

Tax Year 2006-07: Land \$200,000 and Improvements \$217,000
Tax Year 2007-08: Land \$200,000 and Improvements \$217,000

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

16. **ITEM A-19 - 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. Public Employee Performance Evaluation: Title: Community Development Director** - Chair Farrington announced the Board would now go into Closed Session for the reasons stated on the agenda.

After a lunch recess, the Board reconvened into Closed Session at 1:37 p.m.

17. **ITEM A-9 - 1:30 P.M. - CLOSED SESSION - Employee appeal of a disciplinary action (EDA 2010-01)** - The Board came out of closed session at 6:28pm, with no action taken. The meeting was adjourned to Friday, May 7, 2010, at 9:00am, for a tourism workshop at Rob Roy Golf Club, as stated on the Board's agenda.

18. **SPECIAL MEETING - ITEM A-1 - 9:00 A.M. - Workshop - "Building the Visitor Experience - Celebrating Tourism in Lake County"** - The Board meeting was reconvened by Chairman Farrington at 9:20 a.m. on May 7, 2010, at the Rob Roy Golf Club, 16451 Gold Road, Cobb, CA, with all members present. Also present were County Counsel Anita Grant and County Administrative Officer/Clerk of the Board Kelly Cox.

Supervisor Brown introduced each of the Board members to the audience and made comments about the history of tourism in each of the five Supervisorial Districts. After each of the introductions by Supervisor Brown, Board members made welcoming remarks to those present for today's workshop. Supervisor Brown also recognized and commended staff.

The Chairman read the Proclamation Designating the Week of May 8-16, 2010, as Travel and Tourism Week in Lake County, and presented it to Deputy CAO -Economic Development Debra Sommerfield, Lake County Chamber CEO Melissa Fulton and past President of the Clear Lake Chamber Joey Luiz.

Doug McConnell, the keynote speaker for today's workshop spoke about his extensive travel experiences and Lake County's strengths as a tourist destination, emphasizing that travelers are seeking locations with authenticity, character and attractions that cannot be found elsewhere.

Other speakers at the workshop included Public Services Director Kim Clymire, Assistant Planner Alan Flora, Gregory Graham for Gregory Graham Wines, Shalean Smith from the Tallman Hotel and Blue Wing Saloon, Laura Falteisek from The Lodge at Blue Lakes, Susan Mesick from Six Sigma Ranch and Winery, Jonelle Tannahill, Tourism Development Manager with the California Travel & Tourism Commission, Tony Barthel of the Featherbed Railroad, Carol Cole-Lewis speaking on behalf of the Lake County Chamber of Commerce's Shop, Stay and Play program, Sandra West of the Edgewater Resort & Mt. Konocti Facilitation, Anne Garner of Eleven Roses Ranch, Loretta Byrne of Tulip Hill Winery and Marilyn Holdenreid of the Kelseyville Pear Festival.

Supervisor Brown left the workshop at 10:40am.

Supervisor Rushing left the workshop at 11:40am.

Supervisor Comstock left the workshop at 1:00pm, at which time the Board meeting was adjourned due to lack of a quorum. The workshop concluded at 3:50pm.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya Turner
Assistant Clerk of the Board