

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

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

The Honorable Board of Supervisors of Lake County, California, met in regular session this 23rd day of November, 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 the moment of silence, County Counsel Anita Grant 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-17.

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

Adopted Proclamation designating the month of December 2010 as AIDS Awareness Month in Lake County.

Approved letter of support of the Clear Lake Area California Highway Patrol "Five Alive" grant project, to reduce the number of collisions involving alcohol or motorcycles, and authorized the Chair to sign.

Approved Amendment No. 1 to the Agreement between the County of Lake and the City of Clearlake relative to the operation of a local Public, Educational, Governmental (PEG) Cable Television Channel, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Ray Hoffman for placement of a "Welcome to Blue Lakes" sign on property located at 5845 West Highway 20, Blue Lakes, and authorized the Chair to sign.

Approved adjustment in compensation for Working Above Classification for Interim Chief District Attorney Investigator Craig Woodworth (to reflect longevity salary increase due October 3, 2010).

Approved Leave of Absence Without Pay for Deputy Sheriff Francisco Rivero for the period from December 3, 2010 to January 5, 2011, and authorized the Chair to sign.

Adopted Resolution No. 2010-209, approving the application for grant funds from the Habitat Conservation Fund Program.

Adopted Resolution No. 2010-210, temporarily prohibiting parking and authorizing removal of vehicles and ordering the Department of Public Works to post signs.

Approved Easement Deed to the City of Lakeport and direct Clerk to certify for recordation (a portion of APN 005-037-02 - County of Lake), and authorized the Chair to sign.

Adopted Resolution No. 2010-211, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated August 6, 2010 (2005/2006 Storm Damage Repair - Bartlett Springs Road PM 21.1, Lake County, Bid No. PW 11-01).

Adopted Resolution No. 2010-212, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated May 18, 2010 (Lakeshore Boulevard Bikeway PM 1.53 to PM 1.88, PM 2.05 to 3.27 and PM 3.38 to 3.61, Lake County, Bid No. PW 10-03).

Adopted Resolution No. 2010-213, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated October 22, 2010 (2005/2006 Storm Damage Repair: Elk Mountain Road PM 33.3, Lake County, Bid No. 10-07).

Adopted Resolution No. 2010-214, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated August 17, 2010 (2005/2006 Storm Damage Repair - Morgan Valley Road PM 5.91, Lake County, Bid No. 10-11).

Approved Agreement between the County of Lake and Dazzling Janitorial Services, for janitorial services in the Social Services office, Children's Services office, and Adult Housing Services office, through June 30, 2013, in the amount of \$6,070.36 per month for the first year, with the possible subsequent addition of a cost of living adjustment equal to 90% of the Consumer Price Index, and authorized the Chair to sign.

Sitting as the Lake County In-Home Support Services Public Authority, approved Side Letter of Agreement to the Memorandum of Understanding (MOU) by and between the California United Homecare Workers Union Local 4034 and the Lake County In-Home Support Services (IHSS) Public Authority (extending the term of the Agreement to January 31, 2011), and authorized the Chair to sign.

Sitting as the Board of Directors of the Kelseyville Waterworks District #3, adopted Resolution No. 2010-215, approving variance of Sewer Use Regulations for property located at 4330 Cruickshank Road, Kelseyville (APN 008-061-43 - Greta Moreno).

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.

The gavel was passed to Vice Chair Comstock.

3. **ITEM A-12 - Supervisors' weekly calendar, travel and reports** - On motion of Supervisor Farrington and by vote of the Board (5 ayes) approved a letter of appreciation to Area Supervisor Larry Henry and the Road Division crew for their quick response to a request for a cleanup of Adobe Creek.

The gavel was returned to Chair Farrington.

4. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating the month of December 2010 as AIDS Awareness Month in Lake County** - Supervisor Rushing read the proclamation into the record and presented it to Community Care HIV/AIDS Program Director Ken Young, who spoke.

5. **ITEM A-6 - 9:15 A.M. - Presentation by U.S. Solar Solutions of proposed solar assembly plant in Lake County; and consideration of request for letter of support of project** - U.S. Solar Solutions Executive Director Craig Campbell gave a power point presentation to the board.

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

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved a letter of support of the project, in concept, and authorized the Chair to sign.

6. **ITEM A-7 - 9:45 A.M. - Update regarding Clearlake Oaks Keys Slurry Seal Project** - Public Works Director Brent Siemer presented the staff report.

This item was informational only. No Board action was taken on this item.

7. **ITEM A-14 - Consideration of proposed Agreement between the County of Lake and Gary Briggs, for rental properties located at 4960 Golf Avenue and 4960 Golf Avenue, Units A, C, D and E, in the amount of \$2,725 per month (with a one-time security deposit of \$5,400) for mental health facilities (including Addendum for future rental of 4960 Golf Avenue, Unit B, when vacant, at an additional monthly rate of \$475, and a one-time security deposit of \$950)** - Mental Health Director Kristy Kelly and Social Services Director Carol Huchingson were present.

Supervisor Smith recused himself, citing the perception of a conflict of interest, and was absent at 10:00 a.m.

Ms. Kelly presented the staff report.

Supervisor Brown was absent at 10:10 a.m.

On motion of Supervisor Comstock and by vote of the Board (3 ayes, Supervisor Smith ABSTAIN, Supervisor Brown ABSENT), approved the Agreement between the County of Lake and Gary Briggs, for rental properties located at 4960 Golf Avenue and 4960 Golf Avenue, Units A, C, D and E, in the amount of \$2,725 per month (with a one-time security deposit of \$5,400) for mental health facilities (including Addendum for future rental of 4960 Golf Avenue, Unit B, when vacant, at an additional monthly rate of \$475, and a one-time security deposit of \$950), and authorized the Chair to sign.

Supervisors Smith and Brown were present at 10:14 a.m.

8. **ITEM A-8 - 10:00 A.M. - Consideration of request to release funds allocated for alternative water solutions for CSA #16 - Paradise Cove, to drill a fourth well** - Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Coppinger were present.

Mr. Dellinger presented the staff report.

Chair Farrington asked if anyone was present wishing to speak and the following people spoke: Richard Kuehn and Carol Schepper. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the use of loan funds (\$20,000), previously loaned to CDA #16, and authorized Special Districts to engage the services of a local well driller to drill a fourth water well.

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

9. **ITEM A-16 - Update on emergency action taken on March 2, 2010, regarding the Southeast Regional Wastewater Collection System - Interim Collection System improvements** - Special Districts Administrator Mark Dellinger presented the update to the Board.

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

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

10. **ITEM A-9 - 10:15 A.M. - HEARING - Consideration of proposed amendment to Section 4-14 of Chapter 4 of the Lake County Code (to allow for the modification/amendment/removal of an existing Vicious Animal Order after three years)** - Interim Animal Control Director Bill Davidson presented the staff report.

There was consensus to direct staff to present the proposed ordinance to the Animal Control Advisory Board for their consideration.

After a brief recess, the Board reconvened into Regular Session at 10:45 a.m.

11. **ITEM A-10 - 10:30 A.M. - (a) Consideration of proposed Contract between the County of Lake and Lucerne Alpine Seniors, Inc. for health-related senior support services in the amount of \$4,400; and (b) Consideration of proposed Contract between the County of Lake and Middletown Senior Citizens, Inc. for health-related senior support services in the amount of \$4,400; and (c) Consideration of proposed Contract between the County of Lake and Highlands Senior Service Center, Inc., for health-related senior support services in the amount of \$10,050; and (d) Consideration of proposed Contract between the County of Lake and Live Oak Senior Center for health-related senior support services in the amount of \$6,211; and (e) Consideration of proposed Contract between the County of Lake and Lakeport Senior Center, Inc. for health-related senior support services in the amount of \$8,125; and (f) Consideration of proposed Contract between the County of Lake and Kelseyville Seniors, Inc. to provide basic operating expenses in the amount of \$2,000; and (g) Consideration of proposed Contract between the County of Lake and Senior Support Services to provide basic operating expenses in the amount of \$1,000; and (h) Consideration of proposed Contract between the County of Lake and the PSA 26 Area Agency on Aging (AAA) to provide matching funds to enable the AAA to continue to receive federal and state grant funds under the Older Americans Act in the amount of \$48,360** - Social Services Director Carol Huchingson presented the staff report.

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

(a) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Lucerne Alpine Seniors, Inc. for health-related senior support services in the amount of \$4,400, and authorized the Chair to sign.

(b) On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Middletown Senior Citizens, Inc. for health-related senior support services in the amount of \$4,400, and authorized the Chair to sign.

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(c) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Highlands Senior Service Center, Inc., for health-related senior support services in the amount of \$10,050, and authorized the Chair to sign.

(d) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Live Oak Senior Center for health-related senior support services in the amount of \$6,211, and authorized the Chair to sign.

(e) On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Lakeport Senior Center, Inc. for health-related senior support services in the amount of \$8,125, authorized the Chair to sign.

(f) On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Kelseyville Seniors, Inc. to provide basic operating expenses in the amount of \$2,000, and authorized the Chair to sign.

(g) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Contract between the County of Lake and Senior Support Services to provide basic operating expenses in the amount of \$1,000, and authorized the Chair to sign.

(h) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Contract between the County of Lake and the PSA 26 Area Agency on Aging (AAA) to provide matching funds to enable the AAA to continue to receive federal and state grant funds under the Older Americans Act in the amount of \$48,360, and authorized the Chair to sign.

12. ITEM A-11 - Continued from November 9 and November 16, 2010 - 10:40 A.M. - Consideration of proposed Ordinance establishing goals for hiring local workers - Deputy County Administrative Officer Jeff Rein presented the amendments made to the proposed ordinance, pursuant to Board direction on November 16, 2010.

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

An amendment was made to change the words "contract labor dollars" to "contract labor hours" throughout the ordinance.

On motion of Supervisor Brown and by vote of the Board (5 ayes), waived the reading of the ordinance, as amended, to be read in title only. (Clerk so did).

On motion of Supervisor Brown and by vote of the Board (5 ayes), advanced the ordinance three weeks, to December 7, 2010.

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

13. ITEM A-15 - Update on emergency action taken October 12, 2010, regarding roofing repairs at the Lucerne Hotel and consideration of proposed Resolution authorizing execution of a Notice of Completion - County Administrative Officer Kelly Cox presented the staff report.

Director Rushing offered Resolution No. 2010-216, 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.

14. ITEM A-13 - (a) Consideration of proposed Agreement between the County of Lake and Community Development Services to perform loan underwriting and packaging services relative to business loans funded by Community Development Block Grant (CDBG) #09-EDEF-6539; (b) Consideration of request to approve the transfer of \$5000 from Activity Delivery to Business Loans and the transfer of future savings into the Business Loan line item; and (c) Consideration of request to amend Sections 2.1, 4.2 and 4.5 of the Program Guidelines to allow loan funds to be used for construction - Chief Deputy County Administrative Officer Matt Perry presented the staff report.

(a) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Community Development Services to perform loan underwriting and packaging services relative to business loans funded by Community Development Block Grant (CDBG) #09-EDEF-6539, and authorized the Chair to sign.

(b) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the transfer of \$5000 from Activity Delivery to Business Loans and the transfer of future savings into the Business Loan line item

(c) On motion of Supervisor Smith and by vote of the Board (5 ayes), amended Sections 2.1, 4.2 and 4.5 of the Program Guidelines to allow loan funds to be used for construction.

15. ITEM A-17 - 1. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Section 54956.9, Subdivision (a): In re Boeger Land Development - 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 12:00 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya G. Turner
Assistant Clerk of the Board