

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 19, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 19th day of October, 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 9:02 a.m. by Chair Farrington. Following the moment of silence, Supervisor Rushing 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-11, with the exception of Consent Agenda Item C-11, which will be taken up immediately following the Consent Agenda.

Approved Minutes of the Board of Supervisors meeting held on October 12, 2010.

Adopted Proclamation recognizing World Polio Day on October 24, 2010.

Adopted Proclamation expressing appreciation of the agricultural benefit of equines to Lake County.

Adopted Proclamation designating the week of October 23-31, 2010 as Red Ribbon Week in Lake County.

Appointed David McMillen to the Heritage Commission (District 1 category) for a term expiring January 1, 2011.

Approved Agreement between the County of Lake and Adams Ashby Group for Community Development Block Grant (CDBG) Labor Standards Coordination Services (for the construction of the Middletown Library and Senior Center), in the amount of \$19,000 (funded by CDBG Program Income), and authorized the Chair to sign.

(a) Adopted Resolution No. 2010-189, approving Agreement for emergency or non-emergency joint usage of equipment, equipment operators or materials with the City of Lakeport; and

(b) Adopt Resolution No. 2010-190, approving Agreement for emergency or non-emergency joint usage of equipment, equipment operators or materials with the City of Clearlake.

Approved permit to conduct aeronautical activities at Lampson Field Airport (Newhall Aviation Services), and authorized the Chair to Sign.

Approved Amendment to Agreement between the County of Lake and Southern Folger, for the retrofit and installation of facility locks, in the amount of \$243.38, and authorized the Chair to sign.

Authorized Chair to initial California Emergency Management Agency FY2010 Grant Assurances for the State Domestic Preparedness (Homeland Security) Grant Application (approved by the Board on August 10, 2010).

Consent Agenda Item C-11 - Consideration of request for out of state travel for Water Resources Director and quagga mussel program assistant Jim Steele to attend Level 2 Training of the Aquatic Nuisance Species Project on November 9-10, 2010, at Lake Mead, NV/AZ, per Water Resources Director memorandum to the Board, dated October 6, 2010 - 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 Director and quagga mussel program assistant Jim Steele to attend Level 2 Training of the Aquatic Nuisance Species Project on November 9-10, 2010, at Lake Mead, NV/AZ, per Water Resources Director memorandum to the Board, dated October 6, 2010.

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officers Morgan Hermann and Ben Cheek presented two canines currently available for adoption.

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

3. **ITEM A-18 - Advanced from October 12, 2010 - Discussion/consideration of proposed Ordinance adding Section 411 - to Article IV of Appendix A of The Sewer Use Ordinance of the Lake County Code concerning the transfer of sewer entitlements (SECOND READING)** - Director Smith offered Ordinance No. 2931, and it was passed by roll call vote (5 ayes).

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

4. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Consideration of proposed Tenant Relocation Plan for 3700 Country Club Drive and 6607 14th Avenue in Lucerne, in connection with the Agency's acquisition of the historic hotel property known as the "Lucerne Castle"** - Chief Deputy County Administrative Officer Matt Perry 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. 2010-191, 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.

5. **ITEM A-6 - 9:20 A.M. - Presentation of Proclamation recognizing World Polio Day on October 24, 2010** - Supervisor Brown read the proclamation into the record and presented it to Gary Olsen, who spoke. Many members of Rotary International were present.
6. **ITEM A-7 - 9:30 A.M. - Presentation of Proclamation expressing appreciation of the agricultural benefit of equines to Lake County** - Supervisor Brown read the proclamation into the record and presented it to Carol Biggs, who spoke.

Many members of the Lake County Horse Council were present.

7. **ITEM A-8 - 9:35 A.M. - Consideration of request for funding for the 2010-2011 Steps to Leadership Program (providing leadership development, professional growth, educational opportunities and incentives to early childhood educators)** - Lake County Childcare Planning Council Director Shelly Mascari made the presentation to the Board.

There was Board consensus to direct staff to work with the Lake County Childcare Planning Council to prepare a list of options of support to present to the Board for consideration at a future date.

8. **ITEM A-9 - 9:50 A.M. - Presentation of Proclamation designating the week of October 23-31, 2010 as Red Ribbon Week in Lake County** - Supervisor Comstock read the proclamation into the record and presented it to Alcohol and Other Drug Services Administrator Laura Solis, Mari Valdez and Sarah Fred, who spoke.

The Board of Supervisors reconvened as the Board of Directors of the Lake County Redevelopment Agency to serve concurrently.

9. **ITEM A-16 - Consideration of request to approve issuance of a request for proposals to build and lease a Mental Health office building in Lucerne** - Mental Health Director Kristy Kelly and Chief Deputy County Administrative Officer Matt Perry were present.

Mr. Perry presented the staff report.

Supervisor and Director Brown was absent at 10:15 a.m. and present at 10:20 a.m.

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

On motion of Supervisor and Director Rushing and by vote of the Board (4 ayes, Supervisor and Director Farrington NO), approved issuance of a request for proposals to build and lease a Mental Health office building in Lucerne.

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

After a brief recess, the Board reconvened into Regular Session at 10:45 a.m. Director Brown was absent, and present at 10:50 a.m.

10. **ITEM A-10 - 10:30 A.M. - Consideration of customer protest of LACOSAN Rules and Regulations and request for exception and refund (property located at 3469 Beach Street, Nice - APN 032-253-320 - Adele Barclay)** - Special Districts Administrator Mark Dellinger and Fiscal Officer Janet Coppinger were present.

Neither Ms Barclay nor representation were present.

On motion of Director Brown and by vote of the Board (5 ayes), denied the request for exception and refund, without prejudice.

11. **ITEM A-17 - Update on emergency action taken on March 2, 2010, regarding the Southeast Regional Wastewater Collection System - Interim Collection System improvements** - Special Districts Administrator presented the update.

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

12. **ITEM A-11 - Continued from September 7, 2010 - 10:45 A.M. - (a) Discussion/consideration of options for funding improvements to Southeast Regional Wastewater System, including possible financial participation by the City of Clearlake; and (b) Consideration of proposed Ordinance amending the charges and fees for Southeast Regional Wastewater System** - Special Districts Administrator Mark Dellinger and Fiscal Officer Janet Coppinger were present.

(a) Mr. Dellinger presented the staff report.

Item A-11(a) was informational only. No Board action was taken.

(b) Chair Farrington asked if anyone was present wishing to speak and Richard Birk spoke. No one else was present wishing to speak and the public input portion of this item was closed.

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

On motion of Director Comstock and by vote of the Board (5 ayes), advanced the ordinance one week, to October 26, 2010.

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

13. **ITEM A-14 - Consideration of proposed Resolution appropriating unanticipated revenue to Budget Unit 1781 - Special Projects (accepting a \$10,000 grant award from PG&E to assist in funding a Lake County Non-Profit Energy Efficiency Project)** - Community Development Director Rick Coel and Principal Planner Emily Minton were present.

County Administrative Officer Kelly Cox presented the staff report.

Supervisor Comstock offered Resolution No. 2010-192, and it was passed by roll call vote (5 ayes).

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

14. **ITEM A-12 - 11:30 A.M. - Assessment Appeal Hearings:**

Richard Betti - Application No. 120-2009 - 250 Henderson Drive, Clearlake Oaks, CA - APN 006-027-230-000 - Chair Farrington announced the appellant has withdrawn the appeal and this item will not be taken up.

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

15. **ITEM A-15 - Discussion/consideration of request by the City of Lakeport to install a 90-foot section of drainage pipe behind the sidewalk on the County's Campbell Lane Corporation Yard and request for Board direction regarding compensation for easement and maintenance of drainage system** - Public Works Director Brent Siemer and City of Lakeport Engineer Scott Harter were present.

Mr. Siemer presented the staff report.

There was Board consensus to waive compensation for the easement.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), gave tentative approval of the five foot (5') drainage and temporary construction easement.

16. **ITEM A-19 - CLOSED SESSION - 1. Public Employee Performance Evaluations: Titles: Public Works Director; and Sitting as the Board of Directors of the Lake County IHSS Public Authority - 2. Sitting as the Board of Directors of the Lake County IHSS Public Authority: Conference with Labor Negotiator: (a) Agency Negotiator: Carol Huchingson and F. Buchanan (b) Employee Organization: United Domestic Workers of America; and 3. Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9, subd. (a): Lake County Air Quality District v. Bennett** - 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 12:20 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya Turner
Assistant Clerk of the Board