

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

**OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 28, 2010**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 28<sup>th</sup> day of September, 2010 there being present Supervisors Jeff Smith, Denise Rushing, Rob Brown and Jim Comstock, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner. Supervisor Farrington was absent.

The meeting was called to order at 9:02 a.m. by Vice Chair Comstock. The moment of silence was dedicated to the memory of Rebecca Rosenthal. 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 (4 ayes, Supervisor Farrington ABSENT), approved Consent Agenda items C-1 through C-10.

Approved Minutes of the Board of Supervisors meeting held on September 21, 2010.

Adopted Resolution No. 2010-176, approving an extension to the 2009-10 CDC Public Health Emergency Preparedness Response Grants (PHER) Phases I, II and III from July 31, 2010 through July 30, 2011 and authorizing the Health Services Director to sign said extension.

Adopted Resolution No. 2010-177, authorizing the Mental Health Director to participate in the California Mental Health Services Authority and approval of the Joint Exercise of Powers Agreement (JPA).

Approved Agreement between the County of Lake and the Konocti Senior Support, Inc., in the amount of \$42,000, for senior support counseling services for the Fiscal Year 2010-2011 (funded by MESA revenues), and authorized the Chair to sign.

Approved Engineering and Inspection Agreement between County of Lake and Thomas and Anna Macomber for review of plans and specifications and inspection of work for the construction of a new subdivision road and drainage improvements (SD 05-06), located at 5800 Wilkinson Road, Kelseyville, CA (APN 008-052-300), and authorized the Chair to sign.

Approved receipt of grant funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, in the amount of \$20,913, for funding of a Special Victims/Vulnerable Persons Unit, and authorized the County Administrative Officer and the Chair to sign Grant Award and Special Conditions document.

Adopted Resolution No. 2010-178, authorizing transfer of Loan Reserve Funds in the amount of \$30,000 to cover loan payment due by CSA #21 - North Lakeport.

Adopted Resolution No. 2010-179, revising the appropriations in the FY 2010-2011 Adopted Budget for CSA #16, Paradise Valley, Fund 276, Budget Unit 8476.

Approved Agreement between the County of Lake and Aquatic Environments Inc., for mechanical weed harvesting services, and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, adopted Resolution No. 2010-180, determining that planning and administrative expenses are necessary for the production, improvement or preservation of low and moderate income housing.

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 No. 1 - Lakeshore Boulevard Bikeway MP 1.53-MP 1.88 and MP 2.05 to 3.27 and MP 3.38 to 3.62** - This change order addresses the need to remove vegetation on portions of the shoulder area prior to that area being mechanically stabilized.

Public Works Director Brent Siemer presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved Change Order No. 1 - Lakeshore Boulevard Bikeway MP 1.53-MP 1.88 and MP 2.05 to 3.27 and MP 3.38 to 3.62, for an increase of \$4,998.94, North Bay Construction, and authorized the Chair to sign.

**CITIZEN'S INPUT** - Dennis Rollins presented a certificate of appreciation to the Board for its participation in the Grillin' on the Green fundraiser for Westshore Park.

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

4. **ITEM A-12 - Consideration of proposed Agreement between the Redevelopment Agency and Aaron Brannin for caretaker services at the Lucerne Hotel property (effective October 1, 2010), 3372 Country Club Drive, Lucerne** - County Administrative Officer Kelly Cox presented the staff report.

On motion of Director Smith and by vote of the Board (4 ayes, Director Farrington ABSENT), approved the Agreement between the Redevelopment Agency and Aaron Brannin for caretaker services at the Lucerne Hotel property (effective October 1, 2010), 3372 Country Club Drive, Lucerne, and authorized the Chair to sign.

5. **ITEM A-13 - Consideration of proposed Agreement between the Redevelopment Agency and Jon Wadsworth for rental of property at 6607 14<sup>th</sup> Avenue, Lucerne (effective October 1, 2010)** - County Administrative Officer Kelly Cox presented the staff report.

On motion of Director Smith and by vote of the Board (4 ayes, Director Farrington ABSENT), approved the Agreement between the Redevelopment Agency and Jon Wadsworth for rental of property at 6607 14<sup>th</sup> Avenue, Lucerne (effective October 1, 2010), and authorized the Chair to sign.

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

6. **ITEM A-5 - 9:15 A.M. - Presentation of Report on Subsidized Employment Program** - Social Services Director Carol Huchingson and Janice Hubbell were present.

After an introduction by Ms. Huchingson, Ms. Hubbell presented the report.

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 28, 2010**

Vice Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Mark Borghesani and Jennifer Dickey. No one else was present wishing to speak and the public input portion of this item was closed.

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

7. **ITEM A-14 - Discussion/consideration of request to waive the normal bidding process and authorize the purchase of sixteen (16) Mobile Audio Video (MAV) units for pursuit vehicles in the amount of \$85,608.00 from WatchGuard** - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), waived the normal bidding process and authorized the purchase of sixteen (16) Mobile Audio Video (MAV) units for pursuit vehicles in the amount of \$85,608.00 from WatchGuard.
8. **ITEM A-11 - Consideration of request to appoint Board member to serve on Solid Waste Task Force** - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), appointed Supervisor Rushing to the Solid Waste Task Force in place of Supervisor Farrington.
9. **ITEM A-15 - Consideration of entering into a Provisionally Accredited Levee Agreement with the Federal Emergency Management Agency for levees in the Upper Lake area** - On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized the Water Resource Department to contact FEMA and inform them Lake County will not be entering into a PAL agreement for the Middle Creek Flood Control Project.
10. **ITEM A-10 - Consideration of Approval of Response to FY 2009-10 Grand Jury** - Chief Deputy Administrative Officer Matt Perry presented the staff report.

Amendments were made to the response.

This item was continued to later in the day.

After a brief recess, the Board reconvened into Regular Session at 10:01 a.m.

11. **ITEM A-6 - Continued from June 22, August 10 and September 7, 2010 - 9:45 A.M. - PUBLIC HEARING - Appeal (AB 10-02) of Veronica Fisher (El Dorado Motel) of the Planning Commission's denial of Administrative Appeal (AA 09-04) to the Notice of Violation issued on September 9, 2009, in conjunction with Case #RC30, for the conversion of a motel to a combination permanent living establishment along with transient occupancy facilities; located at 3955 Lakeshore Boulevard, Lakeport, CA (APN 029-231-78)** - Community Development Director Rick Coel, Associate Planner Keith Gronendyke, Veronica Fisher, Dennis Fordham and Jim Fisher were sworn in by the Clerk.

Mr. Coel presented the staff report.

Mr. Fordham, Mr. Fisher and Mrs. Fisher gave testimony.

The public hearing was continued to later in the day.

12. **ITEM A-7 - 11:00 A.M. - Presentation of the 2009 Crop Report** - Deputy Agricultural Commissioner Kris Eutenier gave the presentation.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the report.

- BACK TO #11 - ITEM A-6 - Continued from June 22, August 10 and September 7, 2010 - 9:45 A.M. - PUBLIC HEARING - Appeal (AB 10-02) of Veronica Fisher (El Dorado Motel) of the Planning Commission's denial of Administrative Appeal (AA 09-04) to the Notice of Violation issued on September 9, 2009, in conjunction with Case #RC30, for the conversion of a motel to a combination permanent living establishment along with transient occupancy facilities; located at 3955 Lakeshore Boulevard, Lakeport, CA (APN 029-231-78)** - After further testimony by Mr. Fordham, this item was continued to later in the day.

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

13. **ITEM A-8 - 11:30 A.M. - Assessment Appeal Hearing:**

**Harlan and Margaret Shapers - Application No. 168-2009 - 10971 Gifford Springs Road, Cobb, CA - APN 051-021-070-000** - Chief Deputy Assessor-Recorder Jim Campbell was present.

Neither the owners nor representation were present.

On motion of Member Brown and by vote of the Board (4 ayes, Member Farrington ABSENT), denied the appeal without prejudice.

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

- BACK TO #11 - ITEM A-6 - Continued from June 22, August 10 and September 7, 2010 - 9:45 A.M. - PUBLIC HEARING - Appeal (AB 10-02) of Veronica Fisher (El Dorado Motel) of the Planning Commission's denial of Administrative Appeal (AA 09-04) to the Notice of Violation issued on September 9, 2009, in conjunction with Case #RC30, for the conversion of a motel to a combination permanent living establishment along with transient occupancy facilities; located at 3955 Lakeshore Boulevard, Lakeport, CA (APN 029-231-78)** - Mr. Fordham, Mr. Fisher and Mrs. Fisher continued to give testimony.

After a lunch recess, the Board reconvened into Regular Session at 1:35 p.m.

Vice Chair Comstock closed the public hearing.

On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), partially granted the appeal and directed staff to prepare Findings of Fact.

- BACK TO ITEM #10 - ITEM A-10 - Consideration of Approval of Response to FY 2009-10 Grand Jury** - Chief Deputy Administrative Officer Matt Perry presented the amended response.

Further amendments were made.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the Response to FY 2009-10 Grand Jury Final Report, as amended, and authorized the Chair to sign.

14. **ITEM A-16 - CLOSED SESSION - Public Employee Performance Evaluation: Title: Information Technology Director -**  
Vice Chair Comstock announced the Board would now go into Closed Session for the reason stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 2:54 p.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Mireya Turner  
Assistant Clerk of the Board