

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD APRIL 19, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 19<sup>th</sup> day of April, 2011, there being present Supervisors Jeff Smith, Denise Rushing, Anthony Farrington, Rob Brown and Jim Comstock, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Comstock. A moment of silence was dedicated to Mike Bliss and Frances Seely. Following the moment of silence, Supervisor Smith 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.

Approved Minutes of the Board of Supervisors meeting held on April 12, 2011.

Adopted Proclamation commending LeRoy Daggett for his years of service to Lake County.

Approved waiver of 900-hour limit for extra help Accounting Technician Eldra King, as per staff memorandum dated April 5, 2011.

Adopted Resolution No. 2011-47, appropriating unanticipated revenue to Budget Unit 1231, County Counsel.

Approved First Amendment to Agreement between the County of Lake and Clover Valley Guest Home for residential services, an increase of \$15,000 (maximum amount not to exceed \$59,000), and authorized the Chair to sign.

Approved First Amendment to Agreement between the County of Lake and Remi Vista, Inc., for an increase of \$30,000 (maximum amount not to exceed \$70,000), for specialty mental health services in Fiscal Year 2010-2011, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Casa Pacifica (maximum amount not to exceed \$30,000), for specialty mental health services for Fiscal Year 2010-2011, and authorized the Chair to sign.

Adopted Resolution No. 2011-48, to appropriate unanticipated revenue to Budget Unit 2205 for Marine Patrol for the installation of a re-power unit and replacement of two severe duty suspension seats for a Sheriff's patrol boat.

Adopted Resolution No. 2011-49, approving the California Emergency Management Agency FY 10 Interoperable Emergency Communication Grant Assurances, and authorizing the Chair to sign.

Sitting as the Board of Directors of the Lake County Air Quality Management District, approved waiver of 900-hour limit for extra help Air Quality Specialist Tiffany Angel, as per staff memorandum dated April 1, 2011.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, approved Amendment No. 1 to Agreement between the Lake County Redevelopment Agency and Aaron Branine for caretaker services at the Lucerne Hotel property (relocating Caretaker to modular unit at 6607-B 14<sup>th</sup> Avenue, with storage to be moved to 6607-A 14<sup>th</sup> Avenue), and authorized the Chair to sign.

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Allison Mewborn 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 letter of support for proposed amendments to Assembly Bill 1152 (Chesbro) issued by the Regional Council of Rural Counties** - On motion of Supervisor Farrington 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:

Supervisor Farrington was advised of the request by the Regional Council of Rural Counties after the posting of the agenda. The bill is slated to be heard in the Assembly Committee on Water, Parks and Wildlife on April 26, 2011, and letters of support are requested to be received before that date.

This item was continued to later in the day.

**CITIZEN'S INPUT** - County Health Official Dr. Karen Tait addressed concerns regarding potential health effects of radiation coming from Japan on the residents of Lake County.

Wayne Diggs spoke regarding the lake level.

4. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Appeal (AB 11-02) of Peter La Monica of the Planning Commission's decision to deny a request for deviation from Conditional Certificate of Compliance (CCC 93-1) and the County Subdivision Ordinance requirement that a 50-foot right-of-way be irrevocably offered for dedication to the public; located at 18764 Grange Road, Middletown, CA (APN 014-270-48) (Staff has requested this item be carried over two weeks, to May 3, 2011, at 9:15 a.m.)** - At departmental request, this item was carried over two weeks, to May 3, 2011, at 9:15 a.m.

5. **ITEM ADDENDUM AD-1 - Consideration of appointment to the following: Kelseyville Cemetery District Board of Trustees** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Richard Feiro to the Kelseyville Cemetery District Board of Trustees, for a term to expire June 30, 2011.

6. **ITEM A-11 - Consideration of appointments to the following: Building Board of Appeals, Clear Lake Advisory Committee and Solid Waste Appeals Panel** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), appointed Gerald Morehouse to the Building Board of Appeals, District 3 category, for a term to expire January 1, 2013.

On motion of Supervisor Smith and by vote of the Board (5 ayes), appointed Michael Dunlap to the Clear Lake Advisory Committee, Shoreline Property Owners, for a term to expire January 1, 2013.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), appointed Supervisor Smith to the Solid Waste Appeals Panel for 2011.

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7. **ITEM A-6 - 9:45 A.M. - Presentation of Proclamation commending LeRoy Daggett for his years of service to Lake County** - Supervisor Smith read the Proclamation into the record and presented it to LeRoy Daggett.

Many fire protection district personnel were present.

8. **ITEM A-7 - 9:50 A.M. - Update concerning status of Long-Range Planning Projects, and request for Board direction regarding the preparation of mapping revisions/corrections to the Lakeport Area Plan** - Community Development Director Rick Coel, Principal Planner Emily Minton and Senior Planner Kevin Ingram presented the summary of long-range planning projects to the Board.

Chair Comstock asked if anyone was present wishing to speak and Betsy Cawn spoke. No one else was present wishing to speak and the public input portion of this item was closed.

There was consensus to direct staff to move forward with the mapping revisions/corrections to the Lakeport Area Plan, and to return the item to the Board in three months, for its consideration.

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

- BACK TO #3 - Extra #1 - Consideration of request for letter of support for proposed amendments to Assembly Bill 1152 (Chesbro) issued by the Regional Council of Rural Counties** - Regional Council of Rural Counties Legislative Analyst Kathy Mannion presented this item to the Board via conference call.

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

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the letter of support and authorized the Chair to sign.

9. **ITEM A-8 - 10:15 A.M. - (a) Discussion/consideration of proposed Ordinance amending Article IX to Chapter 15 of the Lake County Code establishing a fee-based inspection program for all water vessels launched in the County of Lake; and (b) Discussion/consideration of request to send letters to state representatives requesting amendments to the Fish and Game Code; and (c) Discussion/consideration of request to send letters to state representatives requesting funding support for invasive species information to be included with state boat registrations** - Water Resources Director Scott De Leon and Jim Steele presented the staff report.

Chair Comstock asked if anyone was present wishing to speak and Betsy Cawn spoke. No one else was present wishing to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Farrington 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 Supervisor Farrington and by vote of the Board (5 ayes), advanced the ordinance one week, to April 26, 2011.

(b) On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the letters to state representatives requesting amendments to the Fish and Game Code, and authorized the Chair to sign.

(c) On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the letters to state representatives requesting funding support for invasive species information to be included with state boat registrations, and authorized the Chair to sign.

10. **ITEM A-12 - Consideration of request to waive the 900-hour limit for extra help Deputy District Attorney Catherine Walker, extra help Office Assistant Darla Lewis, extra help Office Assistant Sharon Parks and extra help Victim Advocate Geraldine Brown, as per staff memorandum, dated March 31, 2011** - District Attorney Don Anderson and Administrative Coordinator Doris Gorospe were present.

At departmental request, this item was carried over one week, to April 26, 2011, at 10:45 a.m.

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

The gavel was passed to Lake County Local Board of Equalization Chair Farrington.

11. **ITEM A-9 - Continued from April 12, 2011 - 11:00 A.M. - Assessment Appeal Hearing:**

**Elizabeth Eleen - Application No. 18-2010 - 8640 Soda Bay Road, Kelseyville, CA (APN 044-340-270-000)** - Chief Deputy Assessor-Recorder Jim Campbell, Appraiser III Debbie Olson, Environmental Health Director Ray Ruminski, Elizabeth Eeen, Yvonne Jones and Kim Pemberton were sworn in by the Clerk.

Ms. Olson presented the staff report.

Mr. Ruminski, Ms. Eleen, Ms. Jones and Ms. Pemberton gave testimony.

After Board discussion, this item was continued three weeks, to May 10, 2011, at 9:20 a.m. to allow the appellant to prepare further documentation supporting her appeal.

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

The gavel was returned to Chair Comstock.

- BACK TO #9 - ITEM A-8 - 10:15 A.M. - (a) Discussion/consideration of proposed Ordinance amending Article IX to Chapter 15 of the Lake County Code establishing a fee-based inspection program for all water vessels launched in the County of Lake; and (b) Discussion/consideration of request to send letters to state representatives requesting amendments to the Fish and Game Code; and (c) Discussion/consideration of request to send letters to state representatives requesting funding support for invasive species information to be included with state boat registrations** - County Counsel Anita Grant explained modifications had been made to the proposed ordinance which were inadvertently omitted from the agenda documentation presented to the Board earlier today.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), rescinded the previous action.

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On motion of Supervisor Rushing 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 Rushing and by vote of the Board (5 ayes), advanced the ordinance one week, to April 26, 2011.

After a lunch recess, the Board reconvened into Regular Session at 1:40 p.m.

12. **ITEM A-13 - Continued from March 22 and April 5, 2011 - Consideration of proposed County Information Security Policy** - At departmental request, this item was continued three weeks, to May 10, 2011, to allow further discussion with the Sheriff's department.
13. **ITEM A-14 - Discussion/consideration of proposed Resolution of Intention to have the name of an existing named road (Konocti Road) extended from its current length and to name an existing unnamed road in the County of Lake (Buckingham Peak Road); and set hearing for May 24, 2010, at 10:00 a.m.** - Supervisor Brown offered Resolution No. 2011-50, and it was passed by roll call vote (5 ayes).
14. **ITEM A-15 - Consideration of proposed Resolution of support and availability of local match for the Lakeshore Boulevard Bikeway Phase IV grant application** - Interim Public Works Director Gerry Shaul and Assistant Public Works Director Lars Ewing were present.

Mr. Ewing presented the staff report.

Supervisor Farrington offered Resolution No. 2011-51, and it was passed by roll call vote (5 ayes).

15. **ITEM A-16 - Consideration of proposed Agreement between the County of Lake and Pestmaster Services in the amount of \$45,000, for herbicide application services** - Interim Public Works Director Gerry Shaul, Assistant Public Works Director Lars Ewing and Agricultural Commissioner Steve Hajik were present.

Mr. Shaul presented the staff report.

Chair Comstock asked if anyone was present wishing to speak and Joan Moss 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 the Agreement between the County of Lake and Pestmaster Services in the amount of \$45,000, for herbicide application services, and authorized the Chair to sign.

16. **ITEM A-17 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA, LCCOA and DDAA; 2. Conference with Legal Counsel - Existing litigation pursuant to Government Code Section 54956.9, subdivision (a):In re Boeger Land Development; and 3. 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: California United Homecare Workers Union Local 4034** - Chair Farrington announced the Board would now go into Closed Session for the reasons stated on the agenda.

There being no further business, the Board adjourned at 3:26 p.m.

KELLY F. COX  
Clerk of the Board

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Chair - Lake County Board of Supervisors

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