

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD AUGUST 2, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 2nd day of August, 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. Following a moment of silence, Health Services Director Jim Brown 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-19, with the exception of C-8, C-13, C-14, C-15 which were all taken up later in the day.

Approved Minutes of the Board of Supervisors meeting held on July 26, 2011.

Adopted Proclamation commending Val Kuhn, LVN for her years of public service in Lake County.

Adopted Resolution No. 2011-115, approving Cooperative Agreement #11-0252-SF with the State of California; Department of Food and Agriculture and authorizing execution and signature for Pest Detection/EGVM Activities from July 1, 2011 through December 31, 2011.

Adopted Resolution No. 2011-116, appropriating over-realized revenue in Budget Unit 2601 to pay the cost of roadside and aquatic weed control activities that were incurred in Fiscal Year 2010-11.

Approved advanced step hiring of 900-hour Occupational Therapist Chloe Karl, due to applicant's extraordinary qualifications (5th step salary range).

Approved in concept the Classification and Compensation Committee Recommendations to reclassify two positions in the Public Works Department from Unit 5 to Unit 3 and reclassify a Public Works Worker II position to Bridge Maintenance Worker, per the memorandum from Human Resources, dated July 20, 2011, and authorized the Human Resources Director to begin the meet and confer process necessary to implement the recommendations.

Approved Agreement between the County of Lake and Women's Recovery Services for FY 2011-12 residential treatment services, for a maximum amount of \$11,970, and authorized the Chair to sign.

Consent Agenda Item C-8 - Approve Agreement between the County of Lake and Dazzling Janitorial for FY 2011-12 janitorial services, in the amount of 25,200, and authorize the Chair to sign - This item was taken up later in the day.

Adopted Resolution No. 2011-117, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under Agreement dated April 26, 2011 (Elk Mountain Road PM 27.53 to 27.55 Storm Damage Repair, Lake County, Bid No. 09-12).

Adopted Resolution No. 2011-118, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under Agreement dated September 14, 2010 (2005/2006 Storm Damage Repair: Elk Mountain Road PM 35.7, Bid No. 10-34; FEMA-CA-DR 1628 PW#1116).

Awarded Bid No. 10-09 to Gregg Simpson Trucking, for Construction of the Morgan Valley Road PM 4.14 to 4.15 Storm Damage Repair, in the amount of \$77,395, and authorized the Chair to sign the Notice of Award and the Agreement.

Awarded Bid No. 10-12 to Granite Construction, for Morgan Valley Road PM 8.81 to 8.84 Storm Damage Repair, in the amount of \$473,063.50, and authorized the Chair to sign the Notice of Award and the Agreement.

Consent Agenda Item C-13 - Approve First Amendment to Agreement between the County of Lake and Gary R. Buchholz for professional services (adding mileage and lodging reimbursement), and authorize the Chair to sign - This item was taken up later in the day.

Consent Agenda Item C-14 - Approve Agreement between the County of Lake and Wilbur H. Dixon dba MGI-Madeira Group International for pre-employment background investigation services, for a maximum amount of \$15,000, and authorize the Chair to sign - This item was taken up later in the day.

Consent Agenda Item C-15 - Approve Agreements between the County of Lake and PJ Helicopters (rate of \$750 per hour, not to exceed \$45,000), A&P Helicopters (rate of \$795 per hour, not to exceed \$45,000), Cutting Edge Helicopters (rate of \$590 per hour, not to exceed \$13,950), and Sierra Air Helicopters Inc. (rate of \$540 per hour, not to exceed \$13,950), for FY 2011-12 marijuana reconnaissance and eradication on public and private lands, and authorize the Chair to sign the agreements - This item was taken up later in the day.

(a) Waived the County consultant selection procedure for CalWORKs Domestic Violence services; and

(b) Approved Contract between the County of Lake and Lake Family Resource Center for CalWORKs domestic violence services, in an annual amount not to exceed \$25,000, for Fiscal Years 2011-2014, and authorized the Chair to sign.

Approved First Amendment to Agreement with Forsgren Associates, Inc., for CSA #2 - Spring Valley Water System Watershed Sanitary Survey (clarifying the Contract Term and Ownership portions of the original agreement), and authorized the Chair to sign.

Approved Annual Financial Report on granted tidelands and submerged lands funding to the state, and authorized the Chair to sign.

Consent Agenda Item C-19 - Consideration of proposed Resolution approving Final Parcel Map and the signing of the Final Parcel Map (Lawson M.R.S 08-03) - This item was taken up immediately following the adoption of the Consent Agenda.

Supervisor Rushing verified the date of the Final Parcel Map as July 27, 2011.

Supervisor Rushing offered Resolution No. 2011-119, and it was passed by roll call vote (5 ayes).

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Consent Agenda Item C-13 - Consideration of proposed First Amendment to Agreement between the County of Lake and Gary R. Buchholz for professional services (adding mileage and lodging reimbursement) - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the First Amendment to Agreement between the County of Lake and Gary R. Buchholz for professional services (adding mileage and lodging reimbursement), and authorized the Chair to sign.

2. ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:

Extra #1 - Consideration of proposal from Synagro for algae harvesting - On motion of Supervisor Smith and by vote of the Board (5 ayes) approved taking up this item as an extra.

This item was taken up for the following reason: Staff received the proposal after the posting of the agenda and due to the significant blue-green algae bloom taking place on the lake, staff requests the Board consider this proposal before the next meeting.

Chair Comstock asked if anyone was present wishing to speak and Larry Ratcliffe 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 proposal from Synagro for algae harvesting, not to exceed five days of service.

There was Board consensus to direct staff to return with a report on the results of the algae harvesting.

Extra #2 - Consideration of modifications to the Agreements between the County of Lake and Pestmaster's and Clean Lakes - On motion of Supervisor Smith and by vote of the Board (5 ayes) approved taking up this item as an extra.

This item was taken up for the following reason: Staff had intended to present this item to the Board as a Change Order, but were advised that since it is a services contract and not a project, it would not fit the Change Order category. Payments to these contractors are pending consideration of this item by the Board.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the modifications to the Agreements between the County of Lake and Pestmaster's and Clean Lakes.

3. ITEM A-4 - Current Construction Projects - Contract Change Orders:

Field Order - Morgan Valley Road PM 5.34 -Due to a changed condition in this project, a Field Order has been prepared to direct the Contractor to begin the repair by Extra Work Force Account.

Public Works Director Scott De Leon presented the update.

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

CITIZEN'S INPUT - Larry Ratcliffe spoke regarding the presence of building security affecting the public's access to County offices and elected officials.

4. ITEM A-5 - 9:10 A.M. - Presentation of Proclamation commending Val Kuhn, LVN for her years of public service in Lake County - Chair Comstock read the Proclamation into the record and presented it to Val Kuhn, LVN, who spoke.

5. ITEM A-6 - 9:15 A.M. - PUBLIC HEARING - Discussion/consideration of appeal (AB 11-03) of the Planning Commission's decision to deny the Use Permit (UP 10-12) for a five year time extension for an existing off-site advertising sign (billboard); appellant is La Monica Signs; site location is 131 Soda Bay Road, Lakeport (APN 008-019-69) - Community Development Director Rick Coel, Senior Planner Kevin Ingram, Andre Ross and Tony Murphy were sworn in by the Clerk.

Mr. Ingram presented the staff report.

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

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Rushing NO), made the intended decision to uphold the appeal, and directed staff to prepare Findings of Fact.

After a brief recess, the Board reconvened into Regular Session at 10:40 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.

6. ITEM A-7 - Continued from July 12, 2011 - 9:45 A.M. - Assessment Appeal Hearing:

Darron Jordan - Application Nos. 267-2009 and 130-2010 - 1279 Craig Avenue, Lakeport (APN 990-057-303-000 and 025-441-380-000) - Chief Deputy Assessor-Recorder Jim Campbell, Appraiser III Debbie Olson, Appraiser Cari Evans, Douglas Kues, Darron Jordan, Carma Jordan and Phillip Psalmonds were sworn in by the Clerk.

Ms. Olson presented the staff report.

Mr. Kues, Mr. Jordan, Mrs. Jordan and Mr. Psalmonds gave testimony.

On motion of Member Rushing and by vote of the Board (5 ayes), partially granted Appeal #267-2009, establishing the values as follows: Land: \$980,000 and Improvements: \$833,921, for a Total Value of \$1,813,921.

On motion of Member Rushing and by vote of the Board (5 ayes), partially granted Appeal #130-2010, establishing the values as follows: Land, \$980,000, Improvements: \$833,921 and Personal Property: \$34,370, for a Total Value of \$1,848,291.

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

The gavel was returned to Chair Comstock.

7. ITEM A-14 - Continued from July 12, and July 26, 2011 - Consideration of Bid Award for Bid No. 11-02, Middletown Senior Center and Library Project, and consideration of alternatives to awarding bid in order to reduce project costs -At staff request, this item was carried over one week, to August 9, 2011, at 10:15 a.m.

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Supervisor Brown was absent at 12:20 p.m. and present at 12:25 p.m.

8. **ITEM A-8 - 11:00 A.M. - Presentation of Syringe Exchange Program Annual Report** - Health Services Director Jim Brown and County Health Officer Karen Tait, MD were present.

Dr. Tait presented the report.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Annunziata Van-Voorene and Jeff Ott. No one else was present wishing to speak and the public input portion of this item was closed.

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

9. **ITEM A-9 - Continued from July 26, 2011 - 11:15 A.M. - Consideration of request from Veronica Anderson for assistance regarding completion of requirements to fulfill Nuisance Animal Abatement Order located at 1050 Scotts Valley Road, Lakeport, CA** - Animal Control Director Bill Davidson and Veronica Anderson were present.

Ms. Anderson presented her request to the Board.

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) set the deadline for site fence construction to be completed no later than Friday, August 5, 2011 and approved the following payment plan: \$400 deposit with monthly payments of \$60 until the balance of \$1073 is paid in full.

10. **ITEM A-10 - 11:30 A.M. - Discussion/consideration of recommendation by the Clear Lake Advisory Committee to declare a state of emergency regarding the threat of dreissenid mussels on the waters of Clear Lake** - County Counsel Anita Grant presented the staff report.

Clear Lake Advisory Committee Chair Melissa Fulton presented the CLAC report.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Jim Steele, Anna Ravenwood, Victoria Brandon, Mike Dunlap, Thomas Nichols, Carter Irwin, Conrad Colbrandt and Tom Slaughter. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to direct staff to present a Resolution to the Board for its consideration, requesting the state declare a state of emergency regarding the threat of dreissenid mussels on the waters of California; and to also present the Justifications document supporting the proposed Resolution.

After a brief recess, the Board reconvened into Regular Session at 3:35 p.m.

11. **ITEM A-11 - Continued from July 26, 2011 - 1:30 P.M. - PUBLIC HEARING - Discussion/consideration of the 2011 Supervisorial Redistricting Advisory Committee Recommendations of Proposed Supervisorial District Boundary Adjustments** - Registrar of Voters Diane Fridley and GIS Specialist Lon Sharp were present.

Ms. Fridley presented the staff report.

Chair Comstock opened the public hearing and the following people spoke: Randy Ridgel, Mary Elizabeth Morse, Kyle Miller, Paul Lauenroth, Cheryl Hutchinson and Victoria Brandon. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Map 5a, in concept, and directed the County Surveyor to write the boundary descriptions for each district.

This item will return to the Board at a future date for consideration of an Ordinance describing the proposed Supervisorial District Boundary Adjustments.

12. **ITEM A-13 - Consideration of appointments to the following: Hartley Cemetery District Board of Trustees** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Sally Bauer to the Hartley Cemetery District Board of Trustees, for a term to expire January 1, 2015.

13. **ITEM A-15 - Consideration of proposed First Amendment to Agreement between the County of Lake and California Department of Transportation (CalTrans) for sharing costs of State Highway Electrical Facilities (adding electrical facilities constructed subsequent to the 1995 agreement to simplify contract management)** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the First Amendment to Agreement between the County of Lake and California Department of Transportation (CalTrans) for sharing costs of State Highway Electrical Facilities (adding electrical facilities constructed subsequent to the 1995 agreement to simplify contract management), and authorized the Chair to sign.

BACK TO #1 - CONSENT AGENDA ITEM C-8 - Consideration of proposed Agreement between the County of Lake and Dazzling Janitorial for FY 2011-12 janitorial services, in the amount of 25,200 - On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Dazzling Janitorial for FY 2011-12 janitorial services, in the amount of 25,200, and authorized the Chair to sign.

BACK TO #1 - CONSENT AGENDA ITEM C-15 - Consideration of proposed Agreements between the County of Lake and PJ Helicopters (rate of \$750 per hour, not to exceed \$45,000), A&P Helicopters (rate of \$795 per hour, not to exceed \$45,000), Cutting Edge Helicopters (rate of \$590 per hour, not to exceed \$13,950), and Sierra Air Helicopters Inc. (rate of \$540 per hour, not to exceed \$13,950), for FY 2011-12 marijuana reconnaissance and eradication on public and private lands - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the Agreements between the County of Lake and PJ Helicopters (rate of \$750 per hour, not to exceed \$45,000), A&P Helicopters (rate of \$795 per hour, not to exceed \$45,000), Cutting Edge Helicopters (rate of \$590 per hour, not to exceed \$13,950), and Sierra Air Helicopters Inc. (rate of \$540 per hour, not to exceed \$13,950), for FY 2011-12 marijuana reconnaissance and eradication on public and private lands, and authorized the Chair to sign.

BACK TO #1 - CONSENT AGENDA ITEM C-14 - Consideration of proposed Agreement between the County of Lake and Wilbur H. Dixon dba MGI-Madeira Group International for pre-employment background investigation services, for a maximum amount of \$15,000 - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Wilbur H. Dixon dba MGI-Madeira Group International for pre-employment background investigation services, for a maximum amount of \$15,000, and authorized the Chair to sign.

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14. **ITEM A-16 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA, LCCOA and DDAA** - Chair Comstock 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 of Supervisors adjourned at 4:55 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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