

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 22, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 22nd day of February, 2011, 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 all day.

The meeting was called to order at 9:00 a.m. by Chair Comstock. A moment of silence was dedicated to the memory of Scott and Jean Adam, Phyllis Macay and Bob Riggle, victims of the recent hijacking by Somali pirates. After the moment of silence, Social Services Director Carol Huchingson 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-12, with the exception of C-1, which was carried over one week, to March 1, 2011.

Adopted Proclamation designating the month of February 2011, as Children's Dental Health Month in Lake County.

Adopted Proclamation designating the week of February 20-26, 2011, as National Engineers Week in Lake County.

Approved Contract between the County of Lake and Mogavero Notestine Associates to produce a Market Development Plan for Holiday Harbor and authorized the Chair to sign (funded by a State CDBG grant).

Approved Memorandum of Understanding between the County of Lake and Richard Heath and Associates for installation of energy efficient upgrades to non-profit organizations, in an amount not to exceed \$10,000 (payable with PG&E Energy Watch Non-Profit Grant funds), and authorized the Chair to sign.

Adopted Resolution No. 2011-20, authorizing application to The Grant Project - Lake County DUI Intensive Response Team.

Adopt Resolution No. 2011-21, authorizing application to The Grant Project - Lake County Domestic Violence Response Team Project.

Approved waiver of 1000-hour limit for extra-help Client Services Assistant I employee, David Ables, as per staff memorandum, dated February 8, 2011.

(a) Approved Agreement between the County of Lake and the Lake County Office of Education Healthy Start Program, for Family-PRO Differential Response Program services, in an amount of \$10,000, for the period of February 15, 2011 through February 14, 2012 (paid with Child Welfare Services Outcome Improvement Project (CWSOIP) funds), and authorized the Chair to sign.

(b) Adopted Resolution No. 2011-22, approving submission of a grant proposal by the Probation Department to the Corrections Standards Authority (to establish a Detention Reduction Differential Response Program (DRDR)).

Adopted Resolution No. 2011-23, amending Resolution No. 2010-228 establishing position allocations for Fiscal Year 2010-2011, Budget Unit No. 2201, Sheriff-Coroner (deleting one (1) Sheriff-Coroner Assistant position).

Adopted Resolution No. 2011-24, declaring intent to sell surplus real property owned by the County; and set the Public Hearing for the opening and consideration of bids as **March 22, 2011, at 9:20 a.m.**

Sitting as the Board of Directors of the Lake County Air Quality Management District, adopted Resolution No. 2011-25, authorizing redirection of Year 11 Carol Moyer grant funds to the Carl Moyer Rural Assistance Program.

CONSENT AGENDA ITEM C-1 - Approve Minutes of the Board of Supervisors meeting held on February 15, 2011 - This item was carried over one week, to March 1, 2011.

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

Extra #1 - Consideration of proposed Second Amendment to the Lake County Community Action Agency (LCCAA) FY 09/10 Contract to increase funding in the amount of \$25,581, for a total amount of \$225,581 - On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), 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:

LCCAA exceeded their contract amount for FY 2009/10. Alcohol and Other Drug Services has received payment from these services by the State. In order to reimburse LCCAA for services rendered, the contract must be amended to allow for the additional funds. Currently, this agency is experiencing severe financial difficulties and approval of this second amendment will enable the agency to cover their payroll costs, due before the next scheduled meeting.

This item will be taken up later in the day.

CITIZEN'S INPUT - Social Services Director Carol Huchingson provided an update on the plan to join Napa County's Workforce Investment Area.

3. **ITEM A-10 - Supervisors' weekly calendar, travel and reports** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized out of County travel for Supervisors Rushing and Farrington, to attend the California Workforce Investment Board Issues and Policy Special Committee meeting, in Sacramento, on Thursday, February 24, 2011.

4. **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 feline currently available for adoption.

5. **ITEM A-5 - 9:10 A.M. - PUBLIC HEARING - Consideration of appointment of a County Road Commissioner, pursuant to California Streets and Highways Code Section 2006** - Chair Comstock opened the public hearing. No one was present wishing to speak and the public hearing was closed.

Supervisor Brown offered Resolution No. 2011-26, and it was passed by roll call vote (4 ayes, Supervisor Farrington ABSENT).

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6. **ITEM A-6 - 9:15 A.M. - Presentation of Proclamation designating the month of February 2011, as Children's Dental Health Month in Lake County** - Supervisor Brown read the proclamation into the record and presented it to Marta Fuller and Tom Jordan, who spoke.
7. **ITEM A-7 - 9:20 A.M. - Presentation of Proclamation designating the week of February 20-26, 2011, as National Engineers Week in Lake County** - Supervisor Rushing read the proclamation into the record and presented it to Water Resources Director Scott DeLeon and Assistant Public Works Director Lars Ewing, who spoke.

There were many County engineers present.

BACK TO #2 - ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:

Extra #1 - Consideration of proposed Second Amendment to the Lake County Community Action Agency (LCCAA) FY 09/10 Contract to increase funding in the amount of \$25,581, for a total amount of \$225,581 - Mental Health Director Kristy Kelly and Alcohol and Other Drug Services Administrator Laura Solis were present.

Supervisor Smith introduced the item.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the Second Amendment to the Lake County Community Action Agency (LCCAA) FY 09/10 Contract to increase funding in the amount of \$25,581, for a total amount of \$225,581, and authorized the Chair to sign.

8. **ITEM A-12 - Carried over from February 15, 2011 - Request to approve lease for an office building at 6302 13th Avenue, Lucerne, for the Mental Health Department** - Staff requested this item be carried over one week, to March 1, 2011.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Sarah Collins and Kim Hamberton. No one else was present wishing to speak and the public input portion of this item was closed.

This item was continued one week, to March 1, 2011, at 11 a.m.

9. **ITEM A-11 - Consideration of appointments to the following: Sheriff's Office of Quality Assurance Exploratory Committee (Staff has requested this item be carried over one week, to March 1, 2011)** - This item was carried over one week, to March 1, 2011.

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

10. **ITEM A-13 - Discussion/consideration of proposed Ordinance amending Section 721 of the Sewer Use Ordinance (Appendix A), of the Lake County Code - increasing charges for accepting discharge from septic haulers at the Southeast and Northwest Regional Wastewater Treatment Facilities (SECOND READING)** - Director Brown offered Ordinance No. 2941, and it was passed by roll call vote (4 ayes, Supervisor Farrington ABSENT).

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

11. **ITEM A-8 - 9:30 A.M. - PUBLIC HEARING - Appeal (AB 11-01) of Friends of Cobb Mountain of the Planning Commission's certification of the Final Environmental Impact Report (EIR) prepared for the Bottle Rock Power Steam, geothermal field development-expansion project and further appeals the Planning Commission's approval of the Use Permit (UP 09-01) and minor modifications to existing Use Permit 85-27 and associated Traffic Control and Road Maintenance Plan (MMU 01-01); located at 6743, 6825, 7358, 7385 and 7500 High Valley Road, Cobb, CA (APNs 011-012-97, 013-002-01, 013-002-03, 013-002-04 and 013-002-05)** - Community Development Director Rick Coel, Air Pollution Control Officer Doug Gearhart, Water Resources Engineer Tom Smythe, Mark Windsor, Hamilton Hess, Scot Stegeman, Randall Fung, David Coleman, Robert Stark, Brian Harms, Sharon Matzinger, Boone Lodge, Karen Rhodes, Linda Fung, Joan Moss, Kelly Fletcher, Ron Fidge, Gerri Fin, Richard Schnable and Elaine Robinson were sworn in by the Clerk.

Mr. Coel presented the staff report.

Mr. Hess, Mr. Stegeman and Mr. Fung gave testimony.

Supervisor Brown was absent at 11:42 a.m. and present at 11:46 a.m.

After a lunch recess, the Board reconvened into Regular Session at 1:31 p.m.

Mr. Coleman, Mr. Stark and Mr. Harms gave testimony.

Chair Comstock opened the public hearing and the following people spoke: Sharon Matzinger, Boone Lodge, Karen Rhodes, Joan Moss, Kelly Fletcher, Ron Fidge, Gerri Fin, Richard Schnable and Elaine Robinson. No one else was present wishing to speak and the public hearing was closed.

After a brief recess, the Board reconvened into Regular Session at 3:30 p.m.

Mr. Stegemen gave testimony.

This item was continued one week, to March 1, 2011, at 1:30 p.m.

12. **ITEM A-9 - 11:30 A.M. - PUBLIC HEARING - Consideration of request for Rezone (RZ 09-07) of approximately 60 acres from "PDR-BF", Planned Development Residential-Frozen parcel size to "RL-BF", Rural Lands-Frozen parcel size; project applicant is Bottle Rock Power, LLC.; located within the Binkley Leasehold at 6743 and 7385 High Valley Road, Cobb, CA (APNs 011-012-97 and 013-002-03)** - This item was carried over one week, to March 1, 2011, at 2:30 p.m.

13. **ITEM A-14 - 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** - County Counsel announced there would be no labor negotiations today.

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There being no further business, the Board adjourned at 4:35 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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