

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

**OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JULY 12, 2011**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 12<sup>th</sup> day of July, 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 the moment of silence, Supervisor Denise Rushing led the salute to the flag of the United States of America.

1. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Nehemiah White presented one canine currently available for adoption.

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

**Extra #1 - Consideration of proposed Congressional District Map and request for out of County travel for Supervisor Rushing to testify at the California Redistricting Committee meeting** - On motion of Supervisor Rushing 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:

Supervisor Rushing was advised today of the latest, and perhaps final version of the proposed Congressional District boundary map. The meeting to give input regarding the map is scheduled before the next meeting.

Supervisor Rushing introduced the item.

This item was continued to later in the day.

3. **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-13, with the exception of Consent Agenda Items C-3, which was taken up later in the day.

Approved Minutes of the Board of Supervisors meeting held on June 28, 2011.

Adopted Resolution No. 2011-108, approving Agreement #10-0119-SF with the State of California; Department of Food and Agriculture and authorizing execution and signature for Pest Detection/EGVM Activities from February 1, 2011 through June 30, 2011

Approved Biennial Audit beginning with Fiscal Year 2012, pursuant to district's approval on May 18, 2011.

Approved Agreement between the County of Lake and Crestwood Behavioral Health, Inc., for FY 2011/2012 adult residential support and mental health services, for a maximum amount of \$170,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Konocti Senior Support, Inc., for FY 2011/2012 senior peer counseling and Friendly Visitors Program, for a maximum amount of \$76,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Excelsior Youth Center for Fiscal Year 2010-2011 specialty mental health services, in an amount not to exceed \$44,138, and authorized the Chair to sign.

Approved Agreement between the County of Lake and the Ford Street Project Residential and Social Model Detoxification Services, for Fiscal Year 2011/2012 residential treatment and social model alcohol and drug detoxification services, in an amount not to exceed \$15,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Hilltop Recovery Services for Fiscal Year 2011/2012 specialty mental health services, in an amount not to exceed \$15,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Jeri E. Owens, MD, for Fiscal Year 2011/2012 specialty mental health services, in an amount not to exceed \$250,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Sten-Tel Transcription Services, for FY 2011/2012 transcription services, in an amount not to exceed \$15,000, and authorized the Chair to sign.

Waived Travel Policy requirements and approve payment of late travel claims submitted by Josey Sinclair, per the Chief Probation Officer's memorandum dated June 16, 2011.

Approved Agreement between the County of Lake and the County of Del Norte for FY 2011/2012 Bar-O-Boys Ranch Placement, in the amount of \$36,900, and authorized the Chair to sign.

Approved Lease Agreement between the County of Lake and Gary Weiser and Shelley Weiser for office space at 4477 Moss Avenue, Unit C, for a term to expire June 30, 2014, (monthly fees of \$1077.12 for rent, and \$47.50 for water and sewer), and authorized the Chair to sign.

Approved Agreement between the County of Lake and Adams Ashby Group for administrative subcontractor housing services, for Fiscal Years 2011-2014, in an amount not to exceed amounts allowed by the Department of Housing and Community Development (HCD), and authorized the Chair to sign.

4. **CONSENT AGENDA ITEM C-3 - Consideration of proposed Amendment No. 1 to Agreement between the County of Lake and Ferrell Gas, for the supply of propane fuel (extending the contract through June 30, 2013)** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Amendment No. 1 to Agreement between the County of Lake and Ferrell Gas, for the supply of propane fuel (extending the contract through June 30, 2013), and authorized the Chair to sign.

**CITIZEN'S INPUT** - Jerry Stuefloten spoke regarding the bridge project at Wildcat Road.

Cindy Ustrud invited the Board to the upcoming 2<sup>nd</sup> Annual Grillin' on the Green fundraiser for Westshore Park, on August 6, 2011.

Larry Ratcliffe spoke regarding the Public Guardian.

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5. **ITEM A-12 - Consideration of proposed Ordinance electing to participate in the Voluntary Alternative Redevelopment Program, pursuant to ABx1 27** - County Administrative Officer Kelly Cox presented the staff report.

On motion of Supervisor Rushing 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 Rushing and by vote of the Board (5 ayes), advanced the ordinance one week, to July 19, 2011.

6. **ITEM A-14 - Advanced from June 28, 2011 - Discussion/consideration of proposed Ordinance amending gate fees to be charged to Lakeport Disposal at the Eastlake Landfill for solid waste disposal (SECOND READING)** - Supervisor Farrington offered Ordinance No. 2952, and it was passed by roll call vote (5 ayes).

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

7. **ITEM A-13 - Advanced from June 28, 2011 - (a) Discussion/consideration of proposed Ordinance amending Section 706A of the Sewer Use Ordinance pertaining to sewer system capacity fees for connections to the Northwest Regional Wastewater Collection System (SECOND READING); and (b) - Discussion/consideration of the Lake County Sanitation proposed Ordinance amending Section 706B of the Sewer Use Ordinance pertaining to inflationary adjustment determined by the Engineering News Record-Construction Cost Index (SECOND READING)** - (a) Director Smith offered Ordinance No. 2953, and it was passed by roll call vote (5 ayes).

(b) Director Smith offered Ordinance No. 2954, and it was passed by roll call vote (5 ayes).

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

8. **ITEM A-15 - Carried over from June 28, 2011 - Update on the 2011 Road Maintenance and Improvement Projects** - Public Works Director Scott De Leon, Assistant Public Works Director Lars Ewing and Road Superintendent Steve Stangland were present.

Mr. De Leon and Mr. Ewing presented the staff report.

Chair Comstock asked if anyone was present wishing to speak and Gary Lewis spoke. 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.

9. **ITEM A-16 - Discussion/consideration of proposed Agreement between the County of Lake and Archaeological Services Inc., for archeological services for the Clearlake Oaks Safe Routes to School Project, in the amount of \$52,000** - Public Works Director Scott De Leon and Assistant Public Works Director Lars Ewing were present.

Mr. Ewing presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Archaeological Services Inc., for archeological services for the Clearlake Oaks Safe Routes to School Project, in the amount of \$52,000, and authorized the Chair to sign.

10. **ITEM A-5 - 10:00 A.M. - HEARING - Summary Abatement of 12620 Maple Lane, Loch Lomond, CA (APN 050-591-06 - Michael Williams and Kathryn Williams)** - Community Development Director Rick Coel presented the staff report.

Neither the property owner, nor representation was present.

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

11. **ITEM A-6 - 10:15 A.M. - Discussion/consideration of request from Mark and Debra Watson and Ron Rose for assistance in opening a drive-thru coffee kiosk at 2598 South Main Street, Lakeport (APN 008-001-01)** - Environmental Health Specialist Supervisor James Scott and Environmental Health Specialist Pheakday Preciado were present.

Supervisor Farrington introduced the item.

Mr. Scott presented the staff report.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Kathleen Miller, Vincent Price and Ron Rose. 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 work with the applicants to find options which would allow the drive-thru coffee kiosk to open while satisfying County and State water regulations, and to contact the state to assert local jurisdiction of the business.

12. **ITEM A-7 - 10:30 A.M. - Discussion/consideration of complaint from Gene Renner regarding illegal signage at the corner of State Highway 29 and Hartmann Road** - Community Development Director Rick Coel presented the staff report.

No Board action was taken on this item.

13. **ITEM A-8 - 10:45 A.M. - Presentation of issues surrounding food insecurity due to the recent closure of Lake County Community Action Agency** - Redwood Empire Food Bank Executive Director David Goodman gave the presentation to the Board.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Haidi Montoyo and Wes Winter. 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 confer with Mr. Goodman and to present to the Board at a future date, a list of options to support local access to food.

14. **ITEM A-9 - 11:00 A.M. - 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** - Deputy County Administrative Officer Jeff Rein presented the staff report.

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Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Rick Arteaga, Jesse DeBacca, Bob Worra, Tom Powers and Gary Lewis. No one else was present wishing to speak and the public input portion of this item was closed.

This item was continued for two weeks, to July 26, 2011, at 11:00 a.m. to allow staff to negotiate options for reducing the overall cost of the project with the proposed contractor.

After a lunch recess, the Board of Supervisors reconvened at 1:45 p.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.

**15. ITEM A-11 - 1:30 P.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, Darron Jordan, Carma Jordan, Douglas Kues, Tim Niles, Philip Psalmonds, Jim Evans and Joan Moss were sworn in by the Clerk.

Mr. Kues, Mr. Jordan, Mr. Niles, Mr. Psalmonds, Mr. Evans, Ms. Moss and Ms. Jordan gave testimony.

At departmental request, this item was continued three weeks, to August 2, 2011, at 9:45 a.m.

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

The gavel was returned to Chair Comstock.

**BACK TO #2 - Extra #1 - Consideration of proposed Congressional District Map and request for out of County travel for Supervisor Rushing to testify at the California Redistricting Committee meeting** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), authorized Supervisor Rushing to attend the Congressional Redistricting Committee meeting in Sacramento, on July 13, 2011, to testify to the Board's consensus of its wish to be included in the same Congressional District with Napa and Sonoma counties.

**16. ITEM A-17 - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA, LCCOA and DDAA 2. Public Employee Disciplinary Appeal No. EDA 2011-01, Government Code Section 54957 3. Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(a) - Estate of Hatfield v. County of Lake, et al.** - Chair Comstock announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 3:37 p.m. and took the following action.

On motion Supervisor Smith and by vote of the Board (4 ayes, Supervisor Brown ABSENT), made the intended decision to deny Public Employee Disciplinary Appeal No. EDA 2011-01 and directed County Counsel to prepare Findings of Fact.

**17. ITEM A-10 - 11:30 A.M. - CLOSED SESSION - Interviews of candidates for Public Services Director** - Chair Comstock announced the Board would return to Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 5:19 p.m. and took the following action.

On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), appointed Caroline Chavez Public Services Director, effective October 4, 2011.

There being no further business, the Board of Supervisors adjourned at 5:20 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