

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JUNE 14, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 14th day of June, 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, Buck Bouker 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-13, with the exception of Consent Agenda Items C-1, which was carried over one week, to June 21, 2011; C-4, and C-12, which were taken up later in the day.

CONSENT AGENDA ITEM C-1 - Approve Minutes of the Board of Supervisors meeting held on June 7, 2011 - This item was carried over one week, to June 21, 2011.

(a) Approved Amendment No. 2 to the Lease Agreement between the County of Lake and Clifford Ruzicka and Nancy Ruzicka for 991 Parallel Drive, Suite A, Lakeport; and (b) Approved Amendment No 2 to the Lease Agreement between the County of Lake and Clifford Ruzicka and Nancy Ruzicka for 991 Parallel Drive, Suites B, C and D, Lakeport (extending the current leases to November 30, 2011, and possible one month extension to December 31, 2011), and authorized the Chair to sign the amendments.

Approved Agreement between the County of Lake and the Anderson Springs Community Services District (CSD) to provide funding for the District's water tank replacement project, and authorized the Chair to sign.

CONSENT AGENDA ITEM C-4 - (a) Adopt Resolution amending Resolution No. 2010-164 to amend the Adopted Budget for FY 2010-11 by making adjustments to Budget Unit 2101-Trial Courts and Budget Unit 1781-Special Projects; and (b) Approve Agreement between the County of Lake and the Kelseyville Unified School District to provide funding for an athletic equipment storage building as part of the Regional Occupational Program (in the amount of \$19,600), and authorize the Chair to sign - This item was taken up later in the day.

Adopted Amendment to Primary General Liability Program Memorandum of Understanding (to become consistent with amendments made to other programs due to EIA/CPEIA restructure), and authorized the Chair to sign.

Approved the Contract between the County of Lake and Dazzling Janitorial Services for janitorial services at the Lakeport Library in the amount of \$11,700, for Fiscal Year 2011/12, and authorized the Chair to sign.

(a) Approved Budget Transfer B-315 Professional and Specialized Services to fund the price increase of the purchase of four (4) 2012 Ford Fusion vehicles, from Holder Ford (an increase of \$4,442.56 to cover an increase in the Government Price Concession (GPC), and authorized the Chair to sign; and (b) Re-authorized bid award to Holder Ford for purchase of 4 Ford Fusions at a price of \$18,715.43 per vehicle per the informal bid dated June 1, 2011.

(a) Approved Fifth Amendment to the Agreement between the County of Lake and Sun Ridge Systems, Inc., for the purchase and installation of RIMS Fire Records Management Link Software (in the amount of \$8205); and (b) Approved Sixth Amendment to the Agreement between the County of Lake and Sun Ridge Systems, Inc., for the purchase and installation of RIMS Text Paging Link Software (in the amount of \$5730), and authorized the Chair to sign.

Approved Drug Enforcement Administration Marijuana Eradication (DEA) Agreement between the County of Lake and Drug Enforcement Administration of the United States Department of Justice (DEA will pay Lake County \$225,000 to defray the cost relating to the eradication and suppression of illicit marijuana), and authorized the Sheriff to sign the Letter of Agreement and authorized the Chair to sign the Workplace Certifications and Grant Assurances.

Approved Special Services Agreement by and between the County of Lake and Forsgren Associates, Inc., for the preparation of a Spring Valley Watershed Sanitary Survey, and authorized the Chair to sign; and authorized the Special Districts Administrator to issue a Notice to Proceed upon receipt of the required Certificate of Insurance.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, approved Contract Change Order #4, for the Lucerne 3rd Avenue Plaza Project, Bid No. 10-47, KAT Construction, in the amount of \$2,239, and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, approved Agreement between Lake County Redevelopment Agency and Massey Burke for professional and specialized services in connection with natural building projects for Clarks Island (\$3,100) and authorized the Chair to sign.

2. **CONSENT AGENDA ITEM C-12 - Sitting as the Board of Directors of the Lake County Redevelopment Agency, Adopt Resolution authorizing the Deputy Redevelopment Director to sign a Notice of Completion for work performed under Agreement for the Lucerne 3rd Avenue Plaza Project** - Supervisor Rushing offered Resolution No. 2011-89, and it was passed by roll call vote (5 ayes).

3. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Morgan Hermann presented one feline currently available for adoption.

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

Extra #1 - (a) Consideration of proposed letter to North Central Counties Consortium (NCCC) in support of Lake One-Stop Inc.s (LOS) request for a contract extension; and (b) Consideration of possible interim financing to Lake One-Stop Inc., to ensure no gap in services during the transition in Local Workforce Investment Act (LWIA) operations - Social Services Director Carol Huchingson and Lake One-Stop Executive Director Seth DeSimone were present.

Ms. Huchingson presented the staff report.

This item was continued to later in the day.

CITIZEN'S INPUT - Larry Ratcliffe spoke regarding the Public Guardian.

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BACK TO ITEM #4 - Extra #1 - (a) Consideration of proposed letter to North Central Counties Consortium (NCCC) in support of Lake One-Stop Inc.s (LOS) request for a contract extension; and (b) Consideration of possible interim financing to Lake One-Stop Inc., to ensure no gap in services during the transition in Local Workforce Investment Act (LWIA) operations - (a) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the letter to North Central Counties Consortium (NCCC) in support of Lake One-Stop Inc.s (LOS) request for a contract extension, and authorized the Chair to sign.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved, in concept, to provide interim financing to Lake One-Stop Inc., to ensure no gap in services during the transition in Local Workforce Investment Act (LWIA) operations.

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

5. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Discussion/consideration of the proposed 5-Year Implementation Plan for the Northshore Project Area** - Deputy Redevelopment Director Eric Seely and Redevelopment Analyst Alan Flora presented the staff report.

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

Director Rushing offered Resolution No. 2011-90, and it was passed by roll call vote (5 ayes).

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

6. **ITEM A-6 - 9:30 A.M. - Presentation of Annual Report of the Clear Lake Advisory Committee** - At the request of the Clear Lake Advisory Committee, this item was carried over two weeks, to June 28, 2011, at 10:00 a.m.

BACK TO ITEM #1 - CONSENT AGENDA ITEM C-4 - (a) Consideration of proposed Resolution amending Resolution No. 2010-164 to amend the Adopted Budget for FY 2010-11 by making adjustments to Budget Unit 2101-Trial Courts and Budget Unit 1781-Special Projects; and (b) Consideration of proposed Agreement between the County of Lake and the Kelseyville Unified School District to provide funding for an athletic equipment storage building as part of the Regional Occupational Program (in the amount of \$19,600) - Chief Deputy Administrative Officer Matt Perry presented the staff report and provided a replacement resolution and agreement, which decreased the amount of the Agreement to \$12,250.

(a) Supervisor Brown offered Resolution No. 2011-91, and it was passed by roll call vote (5 ayes).

(b) On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the proposed Agreement between the County of Lake and the Kelseyville Unified School District to provide funding for an athletic equipment storage building as part of the Regional Occupational Program (in the amount of \$12,250), and authorized the Chair to sign.

7. **ITEM A-15 - Consideration of proposed Resolution appropriating unanticipated revenue to Fund 141, Budget Unit 4015, Alcohol and Other Drug Services (\$143,616.56 received in settlement of the FY 2009/2010 Medi-Cal cost report)** - Mental Health Director Kristy Kelly presented the staff report.

Supervisor Smith offered Resolution No. 2011-92, and it was passed by roll call vote (5 ayes).

8. **ITEM A-13 - Consideration of recommendations to: (a) Implement the Property Assessed Clean Energy (PACE) Program in Lake County; (b) Join the Pacific Housing and Finance Agency (PHFA); and approve proposed Agreement with PHFA; and (c) Adopt Resolution declaring intention to form Assessment District to finance distributed generation renewable energy sources and energy and water efficiency improvements for property within the County pursuant to Chapter 29 of Part 3 of Division 7 of the California Streets and Highways Code and setting a public hearing thereon** - Chief Deputy Administrative Officer Matt Perry presented the staff report.

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.

(a) No Board action was taken on this portion of the item.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), joined the Pacific Housing and Finance Agency (PHFA); approved the Agreement with PHFA, and authorized the Chair to sign.

(c) Supervisor Rushing offered Resolution No. 2011-93, and it was passed by roll call vote (5 ayes).

9. **ITEM A-17 - CLOSED SESSION - 1. 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 2. Conference with Legal Counsel: Robey v. County of Lake** - 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 at 10:16 a.m.

10. **ITEM A-7 - 10:00 A.M. - HEARING - Nuisance Abatement - 24848 East Highway 20, Clearlake Oaks, CA (APN 006-030-01 - Clayton Smith and Sara Douglas)** - Community Development Director Rick Coel, Code Enforcement Officer Allison Garrett, Clayton Smith and Jeff Mann were sworn in by the Clerk.

Ms. Garrett presented the staff report.

Mr. Smith gave testimony.

Chair Comstock asked if there was anyone present wishing to speak and Jeff Mann spoke.

An amendment was made to the proposed Order to Abate.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 24848 East Highway 20, Clearlake Oaks, CA (APN 006-030-01 - Clayton Smith and Sara Douglas), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property, and authorized the Chair to sign the abatement order.

11. **ITEM A-8 - 10:15 A.M. - HEARING - Nuisance Abatement - 5620 Live Oak Drive, Kelseyville, CA (APN 008-710-24 - James Nevis and Kelea Nevis)** - Community Development Director Rick Coel, Code Enforcement Officer Kathy Freeman, Cynthia Del Campo and George Del Campo were sworn in by the Clerk.

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Ms. Freeman presented the staff report.

Ms. Del Campo gave testimony.

Chair Comstock asked if anyone was present wishing to speak and George Del Campo 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), adopted the order to complete abatement of the nuisance on property located at 5620 Live Oak Drive, Kelseyville, CA (APN 008-710-24 - James Nevis and Kelea Nevis), within fourteen (14) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property, and authorized the Chair to sign the abatement order.

After a brief recess, the Board reconvened into Regular Session at 11:05 a.m.

12. **ITEM A-9 - 11:00 A.M. - (a) Presentation by ARI Sales Manager of fleet operation support services; and (b) Consideration of request to direct staff to begin negotiations with ARI for an agreement for a pilot fleet maintenance program, to include vehicles in the Social Services and Sheriff Departments, to be brought back to the Board for consideration of inclusion in the 2011-2012 Fiscal Year Budget** - Public Works Director Scott DeLeon was present.

(a) ARI Fleet Management Sales Manager David Allen and Business Development Manager Cheryl Graham gave the presentation to the Board. No Board action was taken on this portion of the item.

(b) There was Board consensus to direct staff to prepare a report regarding the County fleet maintenance costs; and to present it to the Board at a future date, for its consideration.

13. **ITEM A-14 - (a) Consideration of Fiscal Year 2011-12 Recommended Budget; (b) Consideration of proposed Resolution establishing FY 2011-12 position allocations to conform to the Recommended Budget; and (c) Consideration of requests for authorization to purchase Capital Assets and fill positions prior to final adoption of the Budget** - (a) County Administrative Officer Kelly Cox presented the staff report and recommended amendments per the staff memorandum dated June 13, 2011.

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. Supervisor Farrington indicated he did not support the recommended appropriation for acquisition of the Gard Street School property in Kelseyville.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington NO), approved the Fiscal Year 2011-12 Recommended Budget.

(b) Supervisor Smith offered Resolution No. 2011-94, and it was passed by roll call vote (5 ayes).

(c) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the requests for authorization to purchase Capital Assets and fill positions prior to final adoption of the Budget, as described in the staff memorandums dated June 7, 2011 and June 9, 2011.

After a lunch recess, the Board reconvened into Regular Session at 2:01 p.m.

14. **ITEM A-12 - Discussion/consideration regarding committee objectives and Board member participation on the Sheriff's Office of Quality Assurance Advisory Committee** - Supervisor Brown removed himself from the committee.

No further Board action was taken on this item.

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

15. **ITEM A-16 - (a) Consideration of request to adopt a Mitigated Negative Declaration for the Southeast Regional Wastewater Collection System Force Main - Pump Station Project; and (b) Consideration of proposed Resolution approving the Southeast Collection System Force Main - Lift Station Project and adopting the recommended CEQA Mitigation Measures (Attachment A)** - Special District Administrator Mark Dellinger presented the staff report.

(a) On motion of Director Smith and by vote of the Board (5 ayes), found on the basis of the Initial Study/Mitigated Negative Declaration prepared by the Community Development Department, and the mitigation measure which have been added to the project, that the Southeast Collection System Force Main-Pump Station Project will not have a significant effect on the environment, and therefore a mitigated negative declaration (CEQA Mitigation Measures) shall be issued with the findings described in the staff memorandum dated June 14, 2011.

(b) Director Smith offered Resolution No. 2011-95, 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.

16. **ITEM A-10 - 1:30 P.M. - CLOSED SESSION - 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** - 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 4:25 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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

