

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MAY 10, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 10th day of May, 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, United States Coast Guard Auxiliary Flotilla Staff Officer Harry De Lope 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 Allison Mewborn presented one canine currently available for adoption.
2. **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-15, with the exception of Consent Agenda Items C-4, C-11, C-12, C-13 and C-15. Consent Agenda Items C-4 and C-15 will be taken up later in the day. Consent Agenda Items C-11, C-12 and C-13 were carried over one week, to May 17, 2011.

Approved Minutes of the Board of Supervisors meeting held on May 3, 2011.

Adopted Proclamation designating the week of May 21-27, 2011 as Safe Boating Week.

Adopted Proclamation designating the week of May 7-15, 2011 as Travel and Tourism Week.

Approved partial non-renewal of Williamson Act Contract 70-07, established by Resolution No. 70-42, recorded on February 26, 1970, Book Number 21, pages 558-564, property located at 10060 Elk Mountain Road, Upper Lake (APN 004-062-03 - Bonnie Jean Dye, Trustee), as recommended in the staff memorandum dated March 21, 2011.

(a) Approved Contract between the County of Lake and Kerry Shearer for development of video training material relating to use of government-run radio channels and emergency preparedness, in the amount of \$4,600; (b) Approved Contract between the County of Lake and Kerry Shearer for video documentation of mass vaccination clinic directly related to emergency preparedness, in the amount of \$8,950; and (c) Approved Contract between the County of Lake and Kerry Shearer for development of video material relating to emergency preparedness and the County Medical Reserve Corps (MRC) Unit, in the amount of \$3,950, and authorized the Chair to sign the contracts.

Adopted Resolution No. 2011-59, amending Resolution No. 2010-165 establishing position allocations for Fiscal Year 2010-2011, Budget Unit No. 4011, Public Health (delete one full time equivalent (FTE) Physical Therapist allocation and add one 0.60 FTE Physical Therapist position).

Approved First Amendment to the Agreement between the County of Lake and San Sousee for adult residential placements (for a decrease of \$10,000), and authorized the Chair to sign.

Adopted Resolution No. 2011-60, amending Resolution No. 2010-165 establishing position allocation for Fiscal Year 2010-2011, Budget Unit No. 4015, Alcohol and Other Drug Services (delete one Compliance Technician and add one Compliance Review Technician).

Approved Plans and Specifications for Socrates Mine Road PM 1.84 Storm Damage Repair in Lake County, Bid No. 11-10, and authorized the Public Works Director/Assistant Purchasing Agent to advertise for bids.

Approved Budget Transfer B-232 from Special Department Supplies, in the amount of \$25,000, for the purchase of one (1) cooler/freezer unit for the evidence facility, and authorized the Chair to sign.

CONSENT AGENDA ITEM C-4 - Consideration of proposed Resolution approving a Cooperative Agreement with the U.S. Department of Agriculture to provide an Animal Damage Control Program for the County of Lake - This item was carried over to later in the day.

CONSENT AGENDA ITEM C-11 - Consideration of request to approve U.S. Forest Service FY 2011 Cooperative Law Enforcement Annual Operating Plan and Financial Plan (in the amount of \$15,000 for Pillsbury Patrol) and 2011 Controlled Substance Operating and Financial Plan to defray costs relating to the suppression of manufacturing and trafficking of controlled substances (in the amount of \$50,000) - This item was carried over one week, to May 17, 2011.

CONSENT AGENDA ITEM C-12 - Consideration of proposed Resolution to appropriate unanticipated revenue to Budget Unit 2203 for marijuana eradication activities (\$50,000 from the US Forest Service) - This item was carried over one week, to May 17, 2011.

CONSENT AGENDA ITEM C-13 - (a) Consideration of request to approve Amendment No. 3 between the County of Lake and Sierra Air Helicopters (an increase of \$3,500) for helicopter services; (b) Consideration of request to approve Amendment No. 3 between the County of Lake and A&P Helicopters (an increase of \$20,000) for helicopter services; and (c) Consideration of request to approve Amendment No. 3 between the County of Lake and Cutting Edge Helicopters (an increase of \$3,500) for helicopter services - This item was carried over one week, to May 17, 2011.

CONSENT AGENDA ITEM C-15 - (a) Consideration of request to approve Agreement between the County of Lake and Chapel of the Lakes Mortuary for mortuary services/indigent cremations; (b) Consideration of request to approve Agreement between the County of Lake and Jones Mortuary for mortuary services/indigent cremations; and (c) Consideration of request to approve Agreement between the County of Lake and Jones and Lewis Mortuary for mortuary services/indigent cremations (all contracts effective July 1, 2010) - This item was carried over to later in the day.

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

Extra #1 - Consideration of proposed resolution approving the submission of FY 09 Interoperable Emergency Communication Grant Program (IECGP) application (to extend the grant through August 31, 2011) - On motion of Supervisor Brown 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:

The Sheriff's Office was notified after the posting of today's agenda that CalEma had approved a grant extension through August 31, 2011, pending the immediate submission of the application.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MAY 10, 2011

Supervisor Brown offered Resolution No. 2011-61, and it was passed by roll call vote (5 ayes).

BACK TO #2 - ITEM A-1 - (a) Consideration of request to approve Agreement between the County of Lake and Chapel of the Lakes Mortuary for mortuary services/indigent cremations; (b) Consideration of request to approve Agreement between the County of Lake and Jones Mortuary for mortuary services/indigent cremations; and (c) Consideration of request to approve Agreement between the County of Lake and Jones and Lewis Mortuary for mortuary services/indigent cremations (all contracts effective July 1, 2010) - County Administrative Officer Kelly Cox responded to questions from the Board.

(a) On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Chapel of the Lakes Mortuary for mortuary services/indigent cremations, and authorized the Chair to sign.

(b) On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Jones Mortuary for mortuary services/indigent cremations, and authorized the Chair to sign.

(c) On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Jones and Lewis Mortuary for mortuary services/indigent cremations, and authorized the Chair to sign.

4. **ITEM A-14 - Continued from March 22, April 5 and April 19, 2011 - Consideration of proposed County Information Security Policy** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the County Information Security Policy, in concept, and directed staff to begin the Meet and Confer process.

5. **ITEM A-15 - Consideration of request to authorize out-of-County travel and related expenses for Non-County employees to attend client forum** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), authorized out-of-County travel and related expenses for Non-County employees to attend client forum.

6. **ITEM A-12 - Supervisors' weekly calendar, travel and reports** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved out of County travel for Supervisor Rushing to attend the CSAC Legislative Conference in Sacramento, CA, June 1-2, 2011.

7. **ITEM A-6 - 9:15 A.M. - Presentation of Proclamation designating the week of May 21-27, 2011 as Safe Boating Week** - Supervisor Farrington read the Proclamation into the record and presented it to U.S. Coast Guard Auxiliary Flotilla 88 Vice Commander Gary Dromi and Staff Officers Harry and Bunny De Lope, who spoke.

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.

8. **ITEM A-7 - Continued from April 19, 2011 - 9:20 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, Assessor II Debbie Olson, Elizabeth Eleen, Cadastral Mapping Specialist Kelli Brown, Mike Conser and Yvonne Jones were sworn in by the Clerk.

Ms. Jones and Ms. Eleen gave testimony.

Ms. Olson presented the staff report.

On motion of Member Brown and by vote of the Board (4 ayes, Supervisor Rushing NO), denied the appeal and confirmed the value of the land at \$150,000, and Improvements at \$7,500.

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

The gavel was returned to Chair Farrington.

After a brief recess, the Board reconvened into Regular Session at 10:30 a.m.

9. **ITEM A-8 - 9:45 A.M. - (a) Update on revenue and costs to operate the Eastlake Landfill and consideration of options to mitigate the anticipated budgetary shortfall for Fiscal Year 2012; (b) Consideration of proposed Agreement between the County of Lake and Lake County Waste Solutions to import solid waste from the City of Ukiah, beginning January 1, 2012, with an option for a five-year extension; and (c) PUBLIC HEARING - Discussion/consideration of proposed ordinance amending gate fees to be charged at the Eastlake Landfill for County Solid Waste Services** - Public Services Director Kim Clymire and Deputy Public Services Director Caroline Chavez presented the staff report.

This item was continued to later in the day.

10. **ITEM A-9 - 10:45 A.M. - Presentation of Proclamation designating the week of May 7-15, 2011 as Travel and Tourism Week** - Deputy County Administrative Officer Marketing and Economic Development Debra Sommerfield was present.

Supervisor Rushing read the Proclamation into the record and presented it to Lake County Chamber of Commerce Executive Director Melissa Fulton and Lake County Winery Association Executive Director Monica Rosenthal, who spoke.

BACK TO #9 - ITEM A-8 - 9:45 A.M. - (a) Update on revenue and costs to operate the Eastlake Landfill and consideration of options to mitigate the anticipated budgetary shortfall for Fiscal Year 2012; (b) Consideration of proposed Agreement between the County of Lake and Lake County Waste Solutions to import solid waste from the City of Ukiah, beginning January 1, 2012, with an option for a five-year extension; and (c) PUBLIC HEARING - Discussion/consideration of proposed ordinance amending gate fees to be charged at the Eastlake Landfill for County Solid Waste Services - Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Bill Stone, Donna Christopher, David Tam, Arthur Brune, Bob Pestoni and Bruce McCracken. No one else was present wishing to speak and the public input portion of this item was closed.

Supervisor Brown made a motion to implement Option 2, as described on the staff memorandum dated April 25, 2011. This motion died for lack of a second.

This item was continued two weeks, to May 24, 2011, at 1:30 p.m.

11. **ITEM A-13 - Consideration of request to allocate unanticipated revenue for community youth project at the Kelseyville High School** - Supervisor Brown introduced the item.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MAY 10, 2011

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Kelseyville School District Superintendent Dave McQueen and Lake County Superintendent Wally Holbrook. 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 allocation of unanticipated revenue for community youth project at the Kelseyville High School, in an amount not to exceed \$19,600.

After a lunch recess, the Board reconvened into Regular Session at 2:00 p.m.

BACK TO #2 - CONSENT AGENDA ITEM C-4 - Consideration of proposed Resolution approving a Cooperative Agreement with the U.S. Department of Agriculture to provide an Animal Damage Control Program for the County of Lake - Agricultural Commissioner Steve Hajik presented the staff report.

An amendment was made to the letter.

Supervisor Brown offered Resolution No. 2011-62, and it was passed by roll call vote (5 ayes).

BACK TO #9 - ITEM A-8 - 9:45 A.M. - (a) Update on revenue and costs to operate the Eastlake Landfill and consideration of options to mitigate the anticipated budgetary shortfall for Fiscal Year 2012; (b) Consideration of proposed Agreement between the County of Lake and Lake County Waste Solutions to import solid waste from the City of Ukiah, beginning January 1, 2012, with an option for a five-year extension; and - (c) PUBLIC HEARING - Discussion/consideration of proposed ordinance amending gate fees to be charged at the Eastlake Landfill for County Solid Waste Services - Supervisor Farrington gave a brief report on pending legislation in the State Assembly and requested the placement of consideration of a letter of support for Assembly Bill 1178 (Ma) on the next available agenda.

There was Board consensus to place the proposed letter on the May 17, 2011 agenda.

This item was continued two weeks, to May 24, 2011, at 1:35 p.m.

12. **ITEM A-10 - 10:50 A.M. - Discussion/consideration of proposed Amendment No. 5 to Agreement between the County of Lake and Franchise Haulers (Lake County Waste Solutions, Inc. and South Lake Refuse-Recycling, LLC) to implement a quarterly variable fuel surcharge on curbside service rates** - This item was carried over two weeks, to May 24, 2011, at 1:30 p.m.

13. **ITEM A-11 AND ITEM A-16 - 2:00 P.M. - CLOSED SESSION - Interviews of candidates for Public Works Director and 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. Public Employee Performance Evaluations: Titles: Air Pollution Control Officer, Community Development Director and Water Resources Director** - 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 5:50 p.m. and took the following action:

On motion of Supervisor Smith and by vote of the Board (5 ayes), appointed Scott De Leon Public Works Director, effective May 16, 2011, at which time he will serve concurrently as Acting Water Resources Director. A discussion of merging the Public Works and Water Resources departments will be placed on the Board of Supervisors Agenda of May 24, 2011.

There being no further business, the Board adjourned at 5:51 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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