

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD NOVEMBER 15, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 15th day of November, 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. A moment of silence was dedicated to the memory of Clearlake Oaks/Keys resident Bob Summerill. Following the moment of silence, Larry Ratcliffe 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-9, with the exception of Consent Agenda Items C-4 and C-5, both of which will be taken up immediately following the Consent Agenda.

Approved Minutes of the Board of Supervisors meeting held on November 8, 2011.

Approved First Amendment to Agreement between the County of Lake and Pacific Municipal Consultants for preparation of an Environmental Impact Report (EIR) for the Valley Oaks Planned Development Application (changing terms to enable the County to issue partial final payment), and authorized the Chair to sign.

Adopted Amendment to Agreement between the County of Lake and Crestwood Behavioral Health for FY 2011-12 adult residential and mental health services, increasing the total compensation from \$170,000 to \$240,000, and authorized the Chair to sign.

Consent Agenda Item C-4 - (a) Approve request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County, due to utilization of competitive state procurement contract; (b) Authorize the Mental Health Director/Assistant Purchasing Agent to issue a Purchase Order for the purchase of office equipment, in the amount of \$37,537.50 to the Keeler Group under State Contract #1-09-71-52; and (c) Approve Budget Transfer B-45 from Salaries & Wages: Permanent, to Equipment Office, in the amount of \$37,537.50, for the purchase of office equipment - This item was taken up immediately following the Consent Agenda.

Consent Agenda Item C-5 - Approve Amendment to the Agreement between the County of Lake and Metro PCS to add one microwave antenna, relocate another microwave antenna, and clarify various sections of the original agreement, and authorize the Chair to sign - This item was taken up immediately following the Consent Agenda.

Approved permit to conduct aeronautical activities at Lampson Field Airport (Tom's Aircraft Enterprises), and authorized the Chair to Sign.

Approved permit to conduct aeronautical activities at Lampson Field Airport (REACH Air Medical Services), and authorized the Chair to Sign.

Approved First Amendment to Agreement between the County of Lake and Jim Steele for professional services related to the quagga mussel program (clarification of reimbursement provisions, with no change to the total cost of the agreement), and authorized the Chair to sign.

Sitting as the Lake County Local Board of Equalization, (a) Accepted Stipulation Change in Assessment for Ronald Layton, on Land, Improvements and Trees and Vines (APN 007-041-120-000), for a change from Land \$450,000 and Improvements \$150,000, to Land \$300,000, Improvements \$100,000 and Trees and Vines \$43,500, for a total of \$443,500 for the 2009/2010 tax year; (b) Accepted Stipulation Change in Assessment for Ronald Layton, on Land and Improvements (APN 007-030-460-000), for a change from Land \$925,000 and Improvements \$500,000, to Land \$716,000 and Improvements \$300,000, for the 2009/2010 tax year; (c) Accepted Stipulation Change in Assessment for Ronald Layton, on Land, Improvements, Personal Property and Fixtures (APN 007-030-450-000), for a change from Land \$450,000, Improvements \$500,000, Personal Property \$11,700 and Fixtures \$12,740, to Land \$250,000, Improvements \$375,000, Personal Property \$11,700, and Fixtures \$12,740, for the 2009/2010 tax year; (d) Accepted Stipulation Change in Assessment for Ronald Layton, on Land (APN 007-030-410-000), for a change from Land \$525,000 to Land \$328,500 for the 2009/2010 tax year; (e) Accepted Stipulation Change in Assessment for JP Morgan Chase, on Improvements (APN 025-372-010-000), from Improvements \$768,000 to Improvements \$403,900, for the 2009/2010 tax year; and (f) Accepted Stipulation Change in Assessment for JP Morgan Chase, on Improvements (APN 025-372-010-000), for a change from Improvements \$766,160 to Improvements \$402,942, for the 2009/2010 tax year.

Consent Agenda Item C-4 - (a) Approve request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County, due to utilization of competitive state procurement contract; (b) Authorize the Mental Health Director/Assistant Purchasing Agent to issue a Purchase Order for the purchase of office equipment, in the amount of \$37,537.50 to the Keeler Group under State Contract #1-09-71-52; and (c) Approve Budget Transfer B-45 from Salaries & Wages: Permanent, to Equipment Office, in the amount of \$37,537.50, for the purchase of office equipment - County Administrative Officer Kelly Cox presented the staff report.

(a) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County, due to utilization of competitive state procurement contract.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), authorized the Mental Health Director/Assistant Purchasing Agent to issue a Purchase Order for the purchase of office equipment, in the amount of \$37,537.50 to the Keeler Group under State Contract #1-09-71-52.

(c) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Budget Transfer B-45 from Salaries & Wages: Permanent, to Equipment Office, in the amount of \$37,537.50, for the purchase of office equipment, and authorized the Chair to sign.

Consent Agenda Item C-5 - Approve Amendment to the Agreement between the County of Lake and Metro PCS to add one microwave antenna, relocate another microwave antenna, and clarify various sections of the original agreement, and authorize the Chair to sign - County Administrative Officer Kelly Cox presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Amendment to the Agreement between the County of Lake and Metro PCS to add one microwave antenna, relocate another microwave antenna, and clarify various sections of the original agreement, and authorized the Chair to sign.

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

Change Order No. 1 - 2005/2006 Storm Damage Repair: Elk Mountain Road MPM 35.9 Bid No. 11-12 - This change order addresses the balancing of final in-place quantities.

Public Works Director Scott De Leon presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Change Order No. 1 - 2005/2006 Storm Damage Repair: Elk Mountain Road MPM 35.9 Bid No. 11-12, for an increase of \$727.26, for a revised contract amount of \$91,150.71, L.D. Giacomini, Enterprises, Inc., and authorized the Chair to sign.

Change Order Nos. 2, 3 and 4 - Middletown Senior Center and Library - This change order addresses extra work the contractor must perform to carry out the changing of the HVAC system from a dual fuel to a single fuel.

Deputy Redevelopment Director Eric Seely presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Change Order Nos. 2, 3 and 4, for a total increase of \$6,627.93, and authorize the Chair to sign.

CITIZEN'S INPUT - Larry Ratcliffe spoke regarding service to the community.

3. ITEM A-5 - 9:15 A.M. - Presentation of Lake County Office of Education Annual Report - Lake County Office of Education Superintendent Wally Holbrook and Director of Communications Shelly Mascari were present.

Ms. Mascari presented the new Lake County Office of Education website.

Mr. Holbrook presented the annual report.

The Board of Directors of the Lake County Sanitation District convened to sit concurrently with the Board of Supervisors.

4. ITEM A-6 - 9:45 A.M. - Request for Board direction regarding proposed changes to the permitting process, to facilitate economic investment - Special Districts Administrator Mark Dellinger, Community Development Director Rick Coel, Principal Planner Emily Minton and Chief Deputy County Administrative Officer Matt Perry were present.

Mr. Perry, Mr. Coel and Mr. Dellinger presented the staff report.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Kurt Winchester and Joan Moss. No one else was present wishing to speak and the public input portion of this item was closed.

After a brief recess, the Boards reconvened into Regular Session at 11:13 a.m.

Amendments were made to the proposed changes.

There was Board consensus to move forward with the continued development of the proposed changes.

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

5. ITEM A-12 - Consideration of proposed Ordinance amending the charges and fees for Assessment Districts 9-1 and 9-3 (SECOND READING) - Director Farrington offered Ordinance No. 2965, 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.

6. ITEM A-8 - Consideration of the following appointments: CSA #2 - Spring Valley Advisory Board, and Kelseyville Cemetery District Board - On motion of Supervisor Rushing and by vote of the Board (5 ayes), appointed James McDole to the CSA #2 - Spring Valley Advisory Board, for a term to expire January 1, 2013.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Betty Cleveland to the Kelseyville Cemetery District Board of Trustees, for a term to expire January 1, 2014.

7. ITEM A-10 - Consideration of request to authorize out-of-state travel for Administrative Analyst Alan Flora to assist in two wine industry shows in Lancaster, PA and Richmond, VA, in March, 2012 (all expenses to be covered by the Lake County Winegrape Commission) - Deputy County Administrative Officer Marketing and Economic Development Debra Sommerfield presented the staff report.

An additional trade show was added to the request.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved out-of-state travel for Administrative Analyst Alan Flora to assist in three 2012 wine industry shows in Houston, TX, Lancaster, PA and Richmond, VA (all expenses to be covered by the Lake County Winegrape Commission)

8. ITEM A-11 - Consideration of proposed Agreement between the County of Lake and Lake Family Resource Center Partnership, for grant writing services - Chief Deputy County Administrative Officer Matt Perry 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 Lake Family Resource Center Partnership, for an amount not to exceed \$50,000, for grant writing services, and authorized the Chair to sign.

9. ITEM A-13 - Consideration of proposed Lease Agreement between the County of Lake and Donald A. Bordessa & Lesley J. Bordessa, Trustees, for real property located at 14954 Burns Valley Road, Clearlake, for FY 2011-2016, at \$950/month - At departmental request, this item was carried over to a future date.

10. ITEM A-14 - (a) Discussion/consideration of request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County; (b) Consideration of request to authorize the Public Works Director/Assistant Purchasing Agent to issue purchase order to Dietz Equipment Sales, in the amount of \$49,463, for the purchase and reconditioning of one (1) used Kenworth T-300 truck for County bridge maintenance - Public Works Director Scott De Leon presented the staff report.

(a) On motion of Supervisor Smith and by vote of the Board (5 ayes), waived the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County.

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(b) On motion of Supervisor Smith and by vote of the Board (5 ayes), authorized the Public Works Director/Assistant Purchasing Agent to issue purchase order to Dietz Equipment Sales, in the amount of \$49,463, for the purchase and reconditioning of one (1) used Kenworth T-300 truck for County bridge maintenance.

11. ITEM A-15 - Consideration of request for approval of late invoices from Pestmasters for algae treatments this past summer in Clear Lake - Water Resources Director Scott De Leon presented the staff report.

Chair Comstock asked if anyone was present wishing to speak and Joan Moss spoke.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the payment of late invoices from Pestmasters for algae treatments this past summer in Clear Lake, in the amount of \$4,110.

Supervisor Brown was absent at 12:39 p.m. and present at 12:44 p.m.

12. ITEM A-9 - CLOSED SESSION - (a) Public Employee Disciplinary Appeal No. EDA 2011-06, Government Code Section 54957 - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, L. Guintivano, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA, LCCOA and DDAA 2. Public Employee Performance Evaluation: Title: Public Works and Water Resources Director - Chair Comstock announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board convened into Regular Session with no action taken at 1:45 p.m.

There being no further business, the Board of Supervisors adjourned at 1:45 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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