

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD APRIL 3, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 3RD day of April, 2012, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, 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 Brown. Supervisor Farrington was absent. A moment of silence was dedicated to the memory of Jack Wattoms of Clearlake Oaks and Debbie Walden of Middletown. Following the moment of silence, Animal Control Officer Morgan Hermann led the salute to the flag of the United States of America.

Supervisor Farrington was present at 9:02 a.m.

1. **ITEM A-2 - 9:05 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-14, with the exception of Consent Agenda Item C-14, which will be taken up later in the day.

Approved Minutes of the Board of Supervisors meetings held on March 27, 2012.

Adopted Proclamation recognizing the importance of public awareness and understanding of the roles and responsibilities of counties and celebrating National County Government Month - April, 2012, "Healthy Counties, Healthy Families".

Adopted Proclamation designating the Month of April 2012, as Sexual Assault Awareness Month, April 5th as the Sexual Assault Awareness Day of Action, April 25th as Denim Day and April 10-16 as National Crime Victim Rights Week.

Adopted Proclamation commending Eric J. Hicks for his years of service on the Upper Lake Fire Protection District Board of Directors.

Approved Agreement between the County of Lake and TALX Corporation for unemployment claims administration services, through April 30, 2014, at a rate of \$0.76 per employee annually, and authorized the Chair to sign.

Adopted Resolution No. 2012-30, approving Public Health's application to the California Department of Public Health, Childhood Lead Poisoning Prevention Branch for the grant program for Fiscal Years 2011/2012 through 2013/2014, and authorizing the Director of Health Services to sign said Application and Grant.

Adopted Resolution No. 2012-31, approving the Certification Statement for the State of California Department of Public Health's Community Nutrition Expansion Project (CNEP) Grant and authorized the Board Chair to sign said Certification Statement.

Approved First Amendment to the Agreement between the County of Lake and North Valley Behavioral Health for FY 2011/2012 specialty mental health services, for an increase of \$80,000, and authorized the Chair to sign.

(a) Adopted Resolution No. 2012-32, accepting gift of funds to help fund Lake County energy savings projects and appropriating said funds as Unanticipated Revenue (\$8000 from PG&E); and (b) Authorized Chair to sign letter of appreciation to PG&E for the donation.

Approved request to waive 900 hour limit for extra help Eastlake Landfill Employee Darryl Prather.

Approved request to waive 900 hour limit for extra help Construction Inspector Richard Navone.

Approved Memorandum of Understanding between the County of Lake and the Lake County Superior Court for the administration of the Comprehensive Collection Program for court ordered debt, and authorized the Chair to sign.

Approved Memorandum of Understanding between the County of Lake and the Judicial Council of California, Administrative Office of the Courts (AOC) relating to the reimbursement of collection commission costs of up to \$7,272 associated with the Court Ordered Debt Amnesty Program (establishing record keeping and AOC reporting requirements), and authorized the Chair to sign.

LAKE COUNTY SANITATION DISTRICT BOARD OF DIRECTORS

Consent Agenda Item C-14 - (a) Approve Easement Deed and direct Clerk to certify for recordation (APN 039-481-45 - One Shot Mining, LLC), and approve Right of Way Agreement between the County of Lake and One Shot Mining, LLC for the construction of the wastewater force main sanitary sewer line, and authorize the Chair to sign agreement- This item was pulled from Consent Agenda and will be taken up later in the day.

2. **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 canine currently available for adoption.

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

Extra #1 - Consideration of request to approve out of state travel for Middle Creek Project Manager, George Speake - On motion of Supervisor Smith 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: Mr. Speake was made aware of staff availability in Washington, DC after the posting of the agenda. This availability may not exist by the next meeting.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved out of state travel for Middle Creek Project Manager, George Speake, to meet with a Legislative Liaison in Washington, DC, within the next two weeks, regarding issues related to the Middle Creek Marsh Project.

PUBLIC INPUT - Cheri Holden spoke regarding the We Love Tules Film Festival.

4. **ITEM A-15 - Consideration of proposed Grant Application to Cal-EMA for Public Safety Interoperable Communications (PSIC) funding, in the amount of \$70,000 (with a 25% county match) to purchase portable repeaters, mobile and portable radios and upgrades to Command Post, and authorize the County Administrative Officer to sign the Grant Assurances** - Supervisor Brown introduced this item.

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On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the Grant Application to Cal-EMA for Public Safety Interoperable Communications (PSIC) funding, in the amount of \$70,000 (with a 25% county match) to purchase portable repeaters, mobile and portable radios and upgrades to Command Post, and authorize the County Administrative Officer to sign the Grant Assurances.

5. **ITEM A-16 - Consideration of request to approve out of state travel for Invasive Species Program Coordinator Carolyn Ruttan to attend the Aquatic Plant Management Society Conference, April 30-May 4, 2012, in Westminster, Colorado** - Public Works Director Scott De Leon presented the staff report.

Amendments were made to the proposed out of state travel plans.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved out of state travel for Invasive Species Program Coordinator Carolyn Ruttan to attend the National Water Quality Monitoring Council Conference, April 30-May 4, 2012, in Portland, Oregon.

6. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation recognizing the importance of public awareness and understanding of the roles and responsibilities of counties and celebrating National County Government Month - April, 2012, "Healthy Counties, Healthy Families"** - Supervisor Farrington read the Proclamation into the record and presented it to County Health Officer Karen Tait, MD, who spoke.

7. **ITEM A-6 - 9:15 A.M. - Presentation of Proclamation designating the Month of April 2012, as Sexual Assault Awareness Month, April 5th as the Sexual Assault Awareness Day of Action, April 25th as Denim Day and April 10-16 as National Crime Victim Rights Week** - Supervisor Brown read the Proclamation into the record and presented it to Gloria Flaherty, who spoke.

Many victim advocates were present.

8. **ITEM A-7 - 9:20 A.M. - Presentation of Proclamation commending Eric J. Hicks for his years of service on the Upper Lake Fire Protection District Board of Directors** - Supervisor Rushing read the Proclamation into the record.

Supervisor Farrington was absent at 9:25 a.m.

9. **ITEM A-8 - 9:30 A.M. - (a) Consideration of request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County; and (b) Consideration of request to authorize the County Administrative Officer/Purchasing Agent to enter into an Agreement between the County of Lake and EP Aeration for the purchase and installation of an aeration/air diffusion system for Holiday Harbor Marina** - Water Resources Director Scott De Leon and Administrative Analyst Alan Flora were present.

Mr. Flora presented the staff report.

Chair Brown asked if anyone was present wishing to speak and Greg Scott spoke. No one else was present wishing to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), waived the formal bidding process and made a determination that competitive bidding would produce no economic benefit to the County.

(b) On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized the County Administrative Officer/Purchasing Agent to enter into an Agreement between the County of Lake and EP Aeration for the purchase and installation of an aeration/air diffusion system for Holiday Harbor Marina.

10. **ITEM A-9 - 9:45 A.M. - PUBLIC HEARING - Consideration of submittal of an application in response to the 2012 State Community Development Block Grant (CDBG) Notice of Funding Availability (NOFA)** - Chief Deputy Administrative Officer Matt Perry presented the staff report.

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

Supervisor Rushing offered Resolution No. 2012-33, and it was passed by roll call vote (4 ayes, Supervisor Farrington ABSENT).

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

- BACK TO #1 - Consent Agenda Item C-14 - (a) Approve Easement Deed and direct Clerk to certify for recordation (APN 039-481-45 - One Shot Mining, LLC), and approve Right of Way Agreement between the County of Lake and One Shot Mining, LLC for the construction of the wastewater force main sanitary sewer line, and authorize the Chair to sign agreement** - Special Districts Administrator Mark Dellinger presented the staff report.

On motion of Director Smith and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved Easement Deed and direct Clerk to certify for recordation (APN 039-481-45 - One Shot Mining, LLC), and approved Right of Way Agreement between the County of Lake and One Shot Mining, LLC for the construction of the wastewater force main sanitary sewer line, and authorized the Chair to sign agreement.

11. **ITEM A-14 - Consideration of proposed Resolution declaring an intent to adopt a Resolution of Public Use and Necessity regarding the Southeast Regional System -Lift Station & Force Main Project** - Special Districts Administrator Mark Dellinger presented the staff report.

Director Smith offered Resolution No. 2012-34, and it was passed by roll call vote (4 ayes, Supervisor Farrington ABSENT).

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

After a brief recess, the Board reconvened into Regular Session at 10:00 a.m. Supervisor Farrington was present.

12. **ITEM A-10 - Continued from March 13, 2012 - 10:00 A.M. - (a) Consideration of proposed Agreement between the County of Lake and Ruzicka Associates for a feasibility study regarding a public water system in the South Lakeport area, in the amount of \$27,000; and (b) Discussion of City of Lakeport's proposed South Main Street/ Soda Bay Road Annexation** - Special Districts Administrator Mark Dellinger, Lakeport Mayor Stacy Mattina, Lakeport City Manager Margaret Silveira and Lakeport Utilities/CLSM D Director Mark Brannigan were present.

Mr. Dellinger presented the staff report.

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Chair Brown asked if anyone was present wishing to speak and Paul Racine spoke. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Ruzicka Associates for a feasibility study regarding a public water system in the South Lakeport area, in the amount of \$27,000, and authorized the Chair to sign.

13. **ITEM A-11 - 10:30 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance amending Article 1 Section 5-f.2 of Chapter 5 of the Lake County Code relating to the sale, use and display of fireworks in the unincorporated areas of the County of Lake** - Senior Administrative Analyst Jennifer Hammond was present.

Supervisor Rushing introduced this item.

Chair Brown opened the public hearing and Wendy White spoke. No one else was present wishing to speak and the public hearing was closed.

Amendments were made to the ordinance.

This item was continued one week, to April 10, 2012, at 10:45 a.m.

14. **ITEM A-12 - Continued from March 27, 2012 - 10:45 A.M. - Consideration of proposed Negative Declaration based on Initial Study (IS 11-32) for the adoption of and update to the Housing Element of the Lake County General Plan (GP AP 11-03)** - Community Development Director Rick Coel and Senior Planner Kevin Ingram were present.

Mr. Coel presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), adopted a negative declaration, establishing findings as recommended in the staff memorandum dated March 28, 2012.

Supervisor Comstock offered Resolution No. 2012-35, and it was passed by roll call vote (5 ayes).

15. **ITEM A-17 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, L. Guintivano, M. Perry and J. Hammond; and (b) Employee Organization: DSA, LCCOA and DDAA 2. Public Employee Appointment: Title: County Administrative Officer/Clerk of the Board 3. Public Employee Performance Evaluations: Titles: Information Technology Director; and Public Services Director** - Chair Brown announced the Board would now go into Closed Session for the reasons stated on the Agenda.

The Board reconvened into Open Session with no action taken at 12:37 p.m.

There being no further business, the Board of Supervisors adjourned at 12:37 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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