

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD DECEMBER 3, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 3<sup>rd</sup> day of December, 2013, there being present Supervisors Jim Comstock, Denise Rushing, Anthony Farrington, Rob Brown and Jeff Smith, County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:01 a.m. by Chair Smith. After a moment of silence, Supervisor Comstock led the salute to the flag of the United States of America.

1. **ITEM A-1 - 9:00 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-8, with the exception of Consent Agenda Items C-8, which was taken up immediately following the Consent Agenda.

Approved Minutes of the Board of Supervisors meetings held on November 19 and 26, 2013.

Adopted Resolution No. 2013-132, expressing support for Lower Lake Parade and Barbecue (May 25, 2014).

Adopted Resolution No. 2013-133, accepting conveyance of real property located in Nice and Lucerne, CA (paper subdivision lots).

Approved First Amendment to Agreement between the County of Lake and Milhous Children's Services for FY 2013-14 specialty mental health services, reducing the contract maximum from \$120,000 to \$5,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and St. Helena Hospital and Center for Behavioral Health (CBH) for FY 2013-14 acute hospital services, maximum amount \$125,000, and authorized the Chair to sign.

Approved Certification of County Elections Official of result of the canvass of the General District Election returns and result of the 1% manual tally of randomly selected voting precincts.

Waived 900 hour limit for extra help Facilities Maintenance Worker Terence O'Boyle.

**Consent Agenda Item C-8 - Approve Thirteenth Amendment to Agreement between the County of Lake and MRO Engineers for engineering services for the Soda Bay Bridge Replacement over Cole Creek, an increase of \$15,235, and authorized the Chair to sign** - This item was removed from the Consent Agenda and taken up immediately following.

Supervisor Farrington cited a conflict and was absent at 9:03 a.m.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved Thirteenth Amendment to Agreement between the County of Lake and MRO Engineers for engineering services for the Soda Bay Bridge Replacement over Cole Creek, an increase of \$15,235, and authorized the Chair to sign.

Supervisor Farrington was present at 9:04 a.m.

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Care and Control Officer Bailey Nolan presented one canine currently available for adoption.
3. **ITEM A-4 - Current Construction Projects - Contract Change Orders:**

**Change Order No. 1 - Construction of pavement rehabilitation on Lakeshore Boulevard** - This change order addresses additional work needed to complete the project, including the use of a special saw to cut into existing driveways, replacement of a failed drain inlet with a cast in place in order to fit the new culvert alignment; addition of a HMA dike to divert water away from private property and into the storm drain; addition of white non-reflective pavement markers to create a rumble strip along a tight curve and additional HMA placed to correct the abrupt angle to driveways and intersection.

Public Works Director Scott DeLeon presented the staff report.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved Change Order No. 1 - Construction of pavement rehabilitation on Lakeshore Boulevard, an increase of \$52,289.82, Granite Construction Company, and authorized the Chair to sign.

**Change Order No. 2 - Construction of pavement rehabilitation on Lakeshore Boulevard** - This change order addresses the balancing of actual in-place quantities.

Public Works Director Scott DeLeon presented the staff report.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved Change Order No. 2 - Construction of pavement rehabilitation on Lakeshore Boulevard, an increase of \$85,026.61, and authorized the Chair to sign.

4. **ITEM A-14 - (a) Update on wind storm event; (b) Consideration of termination of local emergency and other related fiscal actions** - County Administrative Officer Matt Perry, Public Services Director Caroline Chavez, Public Works Director Scott DeLeon and Community Development Director Rick Coel presented an update on wind storm damage.

Chair Smith asked if anyone was present wishing to speak and Lennie Mathews spoke.

No Board action was taken on this item.

5. **ITEM A-5 - 9:15 A.M. - Consideration of departmental reports regarding proposed ordinance regarding Senior Rent Control County Initiative Petition, as certified by the Registrar of Voters** - Registrar of Voters Diane Fridley presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Bill Eaton, Richard Filipowicz, John Mitchell, Maria Peter and Nelson Strasser. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved placement of the ordinance on the ballot of the next General Election.

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The Kelseyville County Water Works District #3 Board of Directors convened to serve concurrently with the Board of Supervisors.

6. **ITEM A-6 - 9:45 A.M. - (a) Consideration of formation of Community Service Area (CSA) for the South Main Street/Soda Bay Road corridor for the provision of water service to area businesses and residents; and (b) Consideration of potential sources of water supply for service provision within the proposed CSA** - Special District Administrator Mark Dellinger was present.

Supervisor and Director Farrington introduced the item.

Mr. Dellinger presented the staff report.

(a & b) There was Board consensus to direct County Counsel to prepare a report comparing the advantages and disadvantages of a Community Facilities District with a Community Service Area, to provide water service to the South Main Street/Soda Bay Road businesses and residents.

The Kelseyville County Water Works District #3 Board of Directors adjourned.

7. **ITEM A-7 - 10:15 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance amending Chapter 5 of the Lake County Code and adopting by reference the 2013 California Building Standards Code, known as the California Code of Regulations, Title 24, Parts 1 through 6, 8 through 12, incorporating the 2013 Edition of the California Building Code; the 2013 Edition of the California Residential Code; the 2013 Edition of the California Electrical Code; the 2013 Edition of the California Plumbing Code; the 2013 Edition of the California Mechanical Code; the 2013 Edition of the California Green Building Code; the 2013 Edition of the California Energy Code; the 2013 Edition of the California Fire Code; the 2013 Edition of the California Administrative Code, the 2013 Edition of the California Historical Building Code, the 2013 Edition of the California Existing Building Code, the 2012 Edition of the International Property Maintenance Code and the 2012 Edition of the International Wildland-Urban Interface Code** - Chief Building Official David Jezek and Deputy Building Official Michael Lockett were present.

Mr. Jezek presented the staff report.

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

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 December 10, 2013.

8. **ITEM A-8 - Carried over from October 15, 2013 - 10:20 A.M. - Presentation of 3<sup>rd</sup> Quarter Report** - Clear Lake Advisory Committee Chair Sarah Ryan requested a continuance of this item.

Chair Smith asked if anyone was present wishing to speak and Paula Britton spoke. No one else was present wishing to speak and the public input portion of this item was closed.

This item was continued seven weeks, to January 21, 2013, at 9:15 a.m.

After a brief recess, the Board reconvened into Regular Session at 10:56 a.m.

9. **ITEM A-9 - 10:30 A.M. - Presentation of the 2013 Lake County Community Needs Assessment** - Health Services Director Jim Brown, County Health Official Karen Tait, St. Helena Clearlake Hospital Planning and Development Director Jennifer Ring and Sutter Lakeside Hospital Representative Jack Buell were present.

After an introduction by Mr. Brown and Dr. Tait, Ms. Ring presented the Assessment to the Board.

Chair Smith asked if anyone was present wishing to speak and Melissa Fulton 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.

10. **ITEM A-10 - 10:45 A.M. - Discussion regarding the mandated recordation of the Right to Farm Ordinance with all transfers of property within the County of Lake** - Supervisor Farrington introduced the item.

Assessor-Recorder Doug Wacker and Community Development Director Rick Coel were present.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Bobby Dutcher, Joan Moss and Claudia Street. No one else was present wishing to speak and the public input portion of this item was closed.

There was consensus to direct staff to prepare a draft ordinance with the removal of the requirement of recordation, and present it to the Board for its consideration.

The public hearing to consider amendments to the Right to Farm Ordinance was scheduled on January 7, 2014, at 9:15 a.m.

The Lake County Watershed Protection District Board of Directors convened to serve concurrently with the Board of Supervisors.

11. **ITEM A-11 - Continued from November 19, 2013 - 11:00 A.M. - Consideration of draft Ordinance adding Article II to Chapter 18 of the Lake County Code imposing a transaction and use tax (proposed lake sales tax measure for lake-related programs draft)** - Water Resources Director Scott DeLeon was present.

County Counsel Anita Grant presented the staff report.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Betsy Cawn, Joan Moss, Mike Dunlap, Paula Britton, Sarah Ryan and Mark Currier. No one else was present wishing to speak and the public input portion of this item was closed.

Amendments were made to the ordinance.

This item was continued two weeks, to December 17, 2013.

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12. **ITEM A-12 - 11:15 A.M. - Consideration of Intake Policy on accepting stray cats** - Animal Care and Control Director William Davidson presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Intake Policy on accepting stray cats, as described in Option A in the staff memorandum dated December 3, 2013.

**ITEM A-15 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, S. Harry, M. Perry, A. Flora and C. Shaver; and (b) Employee Organization: DDAA, DSA, LCCOA, LCEA and LCSEA 2. Conference with real property negotiator (a) Property located at: 3980 Gard Street, Kelseyville (APN 024-081-01) (b) Negotiating Parties: For County: Supervisor Rob Brown, Child Support Services Director Gail Woodworth, County Administrative Officer Matt Perry and Deputy County Administrative Officer Alan Flora For seller: Kelseyville Unified School District representatives (c) Under Negotiation: Lease terms 3. 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 AFSCME/SEIU Local 4034 - Chair Smith 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 1:40 p.m.

There being no further business, the Board of Supervisors adjourned at 1:40 p.m.

MATT PERRY  
Clerk of the Board

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Chair - Lake County Board of Supervisors

By: \_\_\_\_\_  
Mireya G. Turner  
Assistant Clerk of the Board