

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

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

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

The meeting was called to order at 9:00 a.m. by Chair Smith. After a moment of silence, Supervisor Farrington 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 (4 ayes, Supervisor Rushing ABSENT), approved Consent Agenda items C-1 through C-14.

Approved Minutes of the Board of Supervisors meeting held on August 27, 2013.

Adopted Proclamation designating the month of September as Recovery Month.

Adopted Resolution No. 2013-92, approving Agreement No. 13-0093 with the State of California, Department of Food and Agriculture and authorizing execution of the contract and signature for insect trapping activities for Fiscal Year 2013/14.

Adopted Resolution No. 2013-93, fixing tax rates for local agencies, general obligation bonds and other voter approved indebtedness for Fiscal Year 13/14.

Approved Agreement between the County of Lake and Bayfront Youth and Family Services for FY 2013-14 specialty mental health services, maximum amount \$38,000, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Redwood Children's Services (LAKE SELPA ERMHS) for Medi-Cal specialty mental health services, maximum amount \$100,000, and authorized the Chair to sign.

Approved requests and order consolidation of the following School Districts' Elections with the General District Election to be held on November 5, 2013: Board of Trustees of Mendocino-Lake Community College District; Lake County Board of Education; Board of Trustees of the Kelseyville Unified School District; Governing Board of the Lakeport Unified School District; Governing Board of the Lucerne Elementary School District; Governing Board of the Upper Lake Union High School District; and Governing Board of the Upper Lake Elementary School District, pursuant to their respective Resolutions.

Approved requests and order consolidation of the following Community Services, Fire Protection and Water Districts' Elections with the General District Election to be held on November 5, 2013: Board of Directors of the Anderson Springs Community Services District; Board of Directors of the Butler-Keys Community Services District; Board of Directors of the Hidden Valley Lake Community Services District; Board of Directors of the Kelseyville Fire Protection District; Board of Directors of the Lake County Fire Protection District; Board of Directors of the Buckingham Park Water District; Board of Directors of the Callayomi County Water District; Board of Directors of the Clearlake Oaks County Water District; Board of Directors of the Cobb Area County Water District; Board of Directors of the Konocti County Water District; Board of Directors of the Scotts Valley Water Conservation District; and Board of Directors of the Upper Lake County Water District, pursuant to their respective Resolutions.

Approved Side Letter with the Lake County Correctional Officers Association addressing a temporary mandatory overtime schedule for Central Dispatch staff, and authorized the Chair to sign.

Approved Project Agreement between the County of Lake and the California Department of Parks and Recreation for off-highway motor vehicle recreation enforcement activities, in the amount of \$13,071 (with a 25% County match), and authorized the Sheriff to sign.

(a) Waived formal bidding process, determining no economic benefit to the County; (b) Authorized the Sheriff/Asst. Purchasing Agent to issue a purchase order to Baker Distributing, Inc., for the purchase of five Heating Ventilation Air Conditioning (HVAC) units, total amount \$29,561.43.

Approved Federal Annual Certification Report regarding asset forfeiture funds received and expended during FY 2012-13, and authorized the Chair to sign.

Approved First Amendment to Drug Enforcement Administration Marijuana Eradication (DEA) Agreement between the County of Lake and Drug Enforcement Administration of the United States Department of Justice (an increase of \$20,000 for flight time to defray the cost relating to the eradication and suppression of illicit marijuana), authorized the Sheriff to sign the Letter of Agreement and authorized the Chair to sign the Workplace Certifications.

Approved Agreement between the County of Lake and People Services, Inc., for FYs 2013-16 grounds maintenance services, total amount \$7,717.92 per year, and authorized the Chair to sign.

Approved Agreement between the County of Lake and North Coast Opportunities/Rural Communities Childcare for FYs 2013 through 2016 CalWORKs Stage One childcare provision services, amount not to exceed \$70,000, and authorized the Chair to sign.

Approved amended grant applications for Homeland Security Grant Program (HSGP) (\$109,917) for Fiscal Year 2013, and Emergency Management Performance Grant (EMPG) (\$138,135, with 50% County match) for Fiscal Year 2013.

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 Kyle O'Brien presented one canine currently available for adoption.

3. **ITEM A-10 - Consideration of award of bid for construction of the exercise yard enclosures for the Main Jail, Hill Road Correctional Facility, Bid No. 13-12** - Public Works Director Scott DeLeon presented the staff report.

Chair Smith 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.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), awarded Bid No. 13-12, for construction of the exercise yard enclosures for the Main Jail, Hill Road Correctional Facility, to Daniel Steel & Machine, Inc., in the amount of \$97,730, and authorized the Chair to sign.

4. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating the months of September as Recovery Month** - Supervisor Farrington read the proclamation into the record and presented it to Substance Abuse Programs Coordinator Jim Gessner, Lori Carter-Runyon and Robin, who spoke.

5. **ITEM A-6 - 9:15 A.M. - PUBLIC HEARING - Consideration of proposed General Plan Amendment (GPAP 11-02) and Rezone (11-02) encompassing the following properties:** APN 002-024-20 - 12560 Bachelor Valley Road, Witter Springs, APN 002-047-19 - 11856 Elk Mountain Road, Upper Lake, APN 003-045-48 - 6880 Scotts Valley Road, Lakeport, APN 006-560-16 - 13555 East State Highway 20, Clearlake Oaks, APN 006-560-17 - 13655 East State Highway 20, Clearlake Oaks, APN 007-005-28 - 4500 State Highway 175, Lakeport, APN 007-005-29 - 4330 State Highway 175, Lakeport, APN 007-006-27 - 7527 Highland Springs Road, Lakeport, APN 008-002-03 - 960 Soda Bay Road, Lakeport, APN 008-003-07 - 988 Soda Bay Road, Lakeport, APN 010-009-31 - 19896 East State Highway 20, Clearlake Oaks, APN 010-012-04 - 21755 East State Highway 20, Clearlake Oaks, APN 011-002-11 - 12319 Adobe Creek Road, Lakeport, APN 011-002-13 - 12075 Adobe Creek Road, Lakeport, APN 011-002-14 - 11998 Adobe Creek Road, Lakeport, APN 011-003-45 - 10600 Peterson Lane, Kelseyville, APN 011-003-46 - 9815 Adobe Creek Road, Lakeport, APN 011-004-49 - 9244 Kelsey Creek Drive, Kelseyville, APN 011-004-50 - 9250 Kelsey Creek Drive, Kelseyville, APN 016-032-07 - 22320 Bartlett Springs Road, Lucerne, APN 024-171-08 - 5250 State Street, Kelseyville, APN 032-182-04 - 3826 Lakeshore Boulevard, Nice, APN 032-265-01 - 3796 Lakeshore Boulevard, Nice, APN 032-321-20 - 3946 East State Highway 20, Nice, APN 010-013-11 - 19342 Dam Road, Lower Lake, APN 010-044-15 - 2395 Ogulin Canyon Road, Clearlake (portion not within Clearlake City Limits), APN 012-010-65 - 23403 Morgan Valley Road, Lower Lake, APN 012-056-11 - 17500 Little High Valley Road, Lower Lake, APN 012-069-55 - 21232 Morgan Valley Road, Lower Lake, APN 122-330-04 - 20630 Morgan Valley Road, Lower Lake, APN 014-270-10 - 18896 Grange Road, Middletown, APN 014-270-13 - 18940 Grange Road, Middletown, APN 014-270-60 - 18585 South State Highway 29, Middletown, APN 014-362-03 - 18696 Putah Lane, Middletown, APN 014-490-19 - 20771 Big Canyon Road, Middletown, APN 014-490-20 - 20911 Big Canyon Road, Middletown, APN 024-461-28 - 21220 Santa Clara Road, Middletown, APN 024-461-29 - 21210 Santa Clara Road, Middletown, APN 049-141-01 - 11997 Riata Road, Lower Lake, APN 049-142-01 - 11978 Riata Road, Lower Lake, APN 049-142-04 - 11948 Riata Road, Lower Lake, APN 049-142-05 - 11998 Riata Road, Lower Lake, APN 115-018-01 - 6818 Harrington Flat Road, Loch Lomond - Community Development Director Rick Coel and Associate Planner Keith Gronendyke were present.

After an introduction by Mr. Coel, Mr. Gronendyke presented the staff report.

Robert Riggs spoke regarding one of the proposed property zoning change.

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

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), found that on the basis of the Initial Study No. 11-19 prepared by the Planning Division that the General Plan Amendment and Rezone as applied for by the County of Lake will not have a significant effect on the environment and, therefore, a negative declaration shall be adopted with the findings set forth in the Board Memorandum dated July 16, 2013.

Supervisor Farrington offered Resolution No. 2013-94, and it was passed by roll call vote (4 ayes, Supervisor Rushing ABSENT).

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), waived the reading of the ordinance, to be read in title only (Clerk so did).

Supervisor Brown offered Ordinance No. 2992, and it was passed by roll call vote (4 ayes, Supervisor Rushing ABSENT).

After a brief recess, the Board reconvened into Regular Session at 10:16 a.m. Supervisor Brown was absent.

6. **ITEM A-7 - 10:15 A.M. - Consideration of options for winterization of Lakeside Heights** - Public Works Director Scott DeLeon and Community Development Director Rick Coel presented the options to the Board.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Randall Fitzgerald and John Brosnan. 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.

Supervisor Brown was present at 10:39 a.m.

7. **ITEM A-11 - 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. Conference with Legal Counsel: Significant Exposure to Litigation pursuant to Gov. Code Sec. 54956.9(d)(2)(e)(3): 45 Tort Claims: Lakeside Heights 4. Conference with legal counsel: Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9, subd (d)(2), (e)(3): Claim of the City of Lakeport** - Chair Smith announced the Board would now go into Closed Session for the reasons stated on the agenda.

After a brief recess, the Board reconvened into Regular Session and took the following action:

On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Rushing ABSENT), approved the Property Tax Administration Fee Release and Settlement Agreement by and between the County of Lake and the City of Lakeport in the total amount of \$47,259 and authorized the Chair to sign.

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

The gavel was passed to Local Board of Equalization Chair Farrington.

8. **ITEM A-8 - 11:30 A.M. Assessment Appeal Hearing:**

**Joanne & Thomas Cuneo - Application No. 77-2011 - 7313 Anchor Drive, Clearlake, CA (APN 040-412-14)** - This item was withdrawn by the applicant.

**James Collins - Application No. 91-2011 - Boat** - Chief Deputy Assessor-Recorder Debbie Olson was present.

The appellant was not present.

Timely notification was confirmed.

On motion of Member Brown and by vote of the Board (4 ayes, Member Rushing ABSENT), denied the appeal without prejudice.

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There being no further business, the Board of Supervisors adjourned at 11:30 a.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