



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft BOARD OF SUPERVISORS

Tuesday, November 18, 2014

9:00 AM

Board Chambers

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Rushing.

County Administrative Officer Matt Perry, County Counsel Anita Grant and Asst. Clerk of the Board Alicia Flores were present along with Supervisors Comstock, Smith, Brown and Rushing. Supervisor Farrington was absent all day.

2. Moment of Silence

Dedicated to Billy Jackson and Phil Mascari.

3. Pledge of Allegiance

Led by County Counsel Anita Grant.

4. Presentation of Animals at the Animal Care and Control Shelter

Animal Care and Control Officer Nolan presented one canine currently available for adoption.

5. Consideration of Items Not Appearing on the Posted Agenda (Extra Items)

There were no items.

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders.

7. Approval of the Consent Agenda

- 7.1 Adopt Resolution Adopting the Standard Agreement for the County Mental Health Plan Performance Contract Between the County of Lake and the Department of Health Care Services for Fiscal Year 2014-15 and Authorizing the Interim Behavioral Health Director to sign the Agreement.

Enactment No: Resolution No. 2014-130

- 7.2 Approve out-of-state travel to Las Vegas, Nevada, for two detectives to attend the California Homicide Investigator's Association training.
- 7.3 Approve out-of-state travel for one (1) Sheriff's Sergeant to travel to Virginia to conduct an internal investigation.

- 7.4** Waive competitive bidding requirement to purchase seven (7) WatchGuard Mobile Audio Visual (MAV) units due to the selected units being available from a sole source and that competitive bidding would produce no economic benefit to the County and authorize the Sheriff/Coroner/Assistant Purchasing Agent to issue a purchase order to WatchGuard in the amount of \$59,275.50 for this purchase.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.1 - 7.4. The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Brown and Rushing

Absent- Supervisors: 1 - Farrington

8. Timed Items

8.1 9:05 A.M. - Public Input

The following members of the public spoke: Thomas Wahl, Cheryl Cole, Toni Lewis, Terri Larsen, Milos Leubner, Larry Anderson.

- 8.2 9:10 A.M. - Consideration of letter of commendation to Middletown Central Park Association for securing a high school rodeo in Middletown.**

Supervisor Comstock presented the item to the Board. Central Park Associations' Arena Director Kevin Tighe was present to accept the letter of commendation. He also spoke.

Chair Rushing asked if anyone present wished to speak and Joan Moss spoke. No one else present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board, approved the letter of commendation for Middletown Central Park Association. The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Brown and Rushing

Absent- Supervisors: 1 - Farrington

- 8.3 9:15 A.M. - Consideration of Proposal from the Lake County Fish and Wildlife Advisory Committee to fund purchase of materials and equipment.**

U.C. Cooperative Extension Director Greg Giusti presented the item to the Board; also present were Department of Fish and Wildlife Wardens: Doug Willson and Tim Little.

Chair Rushing asked is anyone present wished to speak and the following people spoke: Unidentified man (1), Interim Undersheriff Macedo, Joan Moss, Thomas Wahl. No one else present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board, approved the Fish and Wildlife Advisory Committees request to allocate \$2,000 from BU 2701 to purchase the inserts for safety vests for the Game Wardens in Lake County. These items would remain property of the County and be on loan to State employees working here in Lake County. The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Brown and Rushing

Absent- Supervisors: 1 - Farrington

- 8.4** 9:30 A.M. - Presentation of draft Paper Subdivision Management Plan and consideration of request for direction.

Community Development Director Richard Coel presented the item to the Board, Assistant Planner Mireya Turner, Chuck Lamb and Holly Harris were also present. County Administrative Officer Matt Perry and Deputy County Administrative Officer Alan Flora also spoke.

Chair Rushing asked if anyone present wished to speak on this item and the following people spoke: Bob Gardner, Larry Anderson, Joan Moss, Thomas Wahl, Public Services Director Caroline Chavez. No one else present wished to speak and the public input portion of this item was closed.

Staff was unanimously directed by the Board to work with County Counsel on developing a plan to solicit donations, obtain proper CEQA noticing, as well as map out logistics on accepting roads for public use and further refine the plan to bring it back to the Board for adoption.

- 8.5** 10:15 A.M. - Carried over from October 28, 2014 - Consideration of Staff Recommendation to close the Historic Courthouse Museum on Sundays and on Labor Day (First Monday in September).

Public Services Director Caroline Chavez presented the item to the Board.

Chair Rushing asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Smith, and by vote of the Board, approved the closure of the Historic Courthouse Museum on Sundays and on Labor Day (first Monday in September) and revisit this decision in March 2015. The motion carried by the following vote:

Ayes- Supervisors: 3 - Comstock, Smith and Brown

Nayes- Supervisors: 1 - Rushing

Absent- Supervisors: 1 - Farrington

8.6 11:00 A.M. ASSESSMENT APPEAL HEARING: (Sitting as the Lake County Local Board of Equalization)

Continued from November 4, 2014 at 11:00 A.M. – SA California Group, Inc. – Application No. 200-2012 – 400 Lakeview Dr., Lakeport, CA (APN 029-201-120)

Darron & Carma Jordon – Application No. 100-2012 – 1279 Craig Ave., Lakeport, CA (APN 025-441-380)

Appelbaum Bakersfield, LLC – Application No(s). 101-2012 through 103-2012 – 8250 Orchard Dr., Kelseyville, CA (APN 044-172-310), 8200 Orchard Dr., Kelseyville, CA (APN 044-163-010), 1895 Eastlake Dr., Kelseyville, CA (APN 044-172-320)

Craig Blencowe – Application No(s). 106-2012 through 115-2012 – 4900 State Hwy 175, Lakeport, CA (APN 007-003-660), 4820 State Hwy 175, Lakeport, CA (007-005-230), 5050 State Hwy 175, Lakeport, CA (APN 007-004-200), 5000 State Hwy 175, Lakeport, CA (007-003-650), 5250 State Hwy 175, Lakeport, CA (APN 007-004-190), 5600 State Hwy 175, Lakeport, CA (APN 007-003-640), 5673 State Hwy 175, Lakeport, CA (APN 007-002-200), 5735 State Hwy 175, Lakeport, CA (APN 007-002-190), 5595 State Hwy 175, Lakeport, CA (APN 007-003-630), 5615 State Hwy 175, Lakeport, CA (APN 007-002-180)

Gary Hubley – Application No. 128-2012 – 6705 E. Hwy 20, Lucerne, CA (APN 034-362-080)

Sonoma Pacific Home Builders – Application No. 149-2012 – 9700 State Hwy 281, Kelseyville, CA (APN 043-551-190)

Michael Edgerton – Application No. 154-2012 – 10595 Lakeshore Dr., Clearlake, CA (APN 036-231-190)

James Steil – Application No(s). 166-2012 through 170-2012 – 16756 Butts Canyon Rd., Middletown, CA (APN 014-003-830), 13655 Lower Lakeshore Dr., Clearlake, CA (APN 037-362-020), 13660 Lower Lakeshore Dr., Clearlake, CA (APN 037-361-020), 17320 Butts Canyon Rd., Middletown, CA (APN 014-140-050), 16636 Butts Canyon Rd., Middletown, CA (APN 014-003-820)

Stephan Revesz – Application No(s). 172-2012 through 176-2012 – 17432 Meadow View Dr., Hidden Valley Lake (APN 141-081-300), 17439 Meadow View Dr., Hidden Valley Lake, CA (APN 141-102-140), 18739 Deer Hollow Rd., Hidden Valley Lake, CA (APN 141-264-030), 17010 Knoll View Dr., Hidden Valley Lake, CA (APN 141-012-060), 17343 Meadow View Dr., Hidden Valley Lake, CA (APN 141-102-220)

Dirk Vanderheiden – Application No. 217-2012 – 380 Konocti Ave., Lakeport, CA (APN 025-621-030)

Gloria Hadley – Application No. 225-2012 – 4150 Genevieve St., Lakeport, CA (APN 029-181-390)

California AVIV (EmpRes Healthcare, Inc.) – Application No. 226-2012 – 1291 Craig Ave., Lakeport, CA (APN 025-441-260)

Arlene Azarcon – Application No. 228-2012 – 17193 Knollview Dr., Hidden Valley Lake, CA (APN 141-021-060)

RBC Real Estate Finance, Inc. – Application No(s). Finance 230-2012 through 235-2012 – 9719 Tenaya Way, Kelseyville, CA (APN 043-732-060), 5611 Ponca Way, Kelseyville, CA (APN 430-102-010), 9972 El Dorado Way, Kelseyville, CA (APN 043-722-060), 10204 Del Monte Way, Kelseyville, CA (APN 043-603-160), 4851 Cascade Way, Kelseyville, CA (APN 043-683-080), 9931 Fairway Dr., Kelseyville, CA (APN 043-573-030)

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

Assessor-Recorder Doug Wacker, Chief Deputy Assessor-Recorder Debbie Olson and Administrative Assistant Sara Shucart were present and sworn in by the Clerk.

Continued from November 4, 2014 at 11:00 A.M. – SA California Group, Inc. – Application No. 200-2012 – 400 Lakeview Dr., Lakeport, CA (APN 029-201-120) - At the request of the appellant, this appeal was withdrawn.

Darron & Carma Jordon – Application No. 100-2012 – 1279 Craig Ave., Lakeport, CA (APN 025-441-380) - A waiver was received for this appeal hearing.

Appelbaum Bakersfield, LLC – Application No(s). 101-2012 through 103-2012 – 8250 Orchard Dr., Kelseyville, CA (APN 044-172-310), 8200 Orchard Dr., Kelseyville, CA (APN 044-163-010), 1895 Eastlake Dr., Kelseyville, CA (APN 044-172-320) - At the request of the appellant, this appeal was withdrawn.

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037-362-020), 13660 Lower Lakeshore Dr., Clearlake, CA (APN 037-361-020), 17320 Butts Canyon Rd., Middletown, CA (APN 014-140-050), 16636 Butts Canyon Rd., Middletown, CA (APN 014-003-820) - Neither owner nor representation were present. Vice Chair Comstock confirmed staff's attempt at notification. Staff stated that the certified letter was not picked up by appellant.

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Dirk Vanderheiden - Application No. 217-2012 - 380 Konocti Ave., Lakeport, CA (APN 025-621-030) - Neither owner nor representation were present. Vice Chair Comstock confirmed staff's attempt at notification. Staff stated that the certified letter was not picked up by appellant.

Gloria Hadley - Application No. 225-2012 - 4150 Genevieve St., Lakeport, CA (APN 029-181-390) - At the request of the appellant, this appeal was withdrawn.

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Arlene Azarcon - Application No. 228-2012 - 17193 Knollview Dr., Hidden Valley Lake, CA (APN 141-021-060) - Neither owner nor representation were present. Vice Chair Comstock confirmed staff's attempt at notification. Staff stated that the certified letter was not picked up by appellant.

RBC Real Estate Finance, Inc. - Application No(s). Finance 230-2012 through 235-2012 - 9719 Tenaya Way, Kelseyville, CA (APN 043-732-060), 5611 Ponca Way, Kelseyville, CA (APN 430-102-010), 9972 El Dorado Way, Kelseyville, CA (APN 043-722-060), 10204 Del Monte Way, Kelseyville, CA (APN 043-603-160), 4851 Cascade Way, Kelseyville, CA (APN 043-683-080), 9931 Fairway Dr., Kelseyville, CA (APN 043-573-030) - Neither owner nor representation were present. Vice Chair Comstock confirmed staff's attempt at notification. Staff stated that the certified letter was not picked up by appellant.

On Motion of Member Rushing, and by vote of the Board (4 ayes, Member Farrington was ABSENT), denied the appeals without prejudice that had not been withdrawn or that the appeal hearing had not been waived.

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Consideration of Continuation of Proclamation of Emergency Declaration for Drought Conditions.

Emergency Services Manager Marisa Chilafoe presented the item to the Board.

Chair Rushing asked if there was anyone present wishing to speak. No one present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board, extended the proclamation of declaration of local emergency due to drought conditions. The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Brown and Rushing

Absent- Supervisors: 1 - Farrington

9.3 Consideration of Advisory Board appointments.

The Board reviewed the application of Christopher J. Musser for County Service Area No.2 - Spring Valley Advisory Board.

Chair Rushing asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Smith, and by vote of the Board, appointed Christopher J. Musser to County Service Area No.2 - Spring Valley Advisory Board. The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Brown and Rushing

Absent- Supervisors: 1 - Farrington

The Board reviewed the application of Ellen L. Pearson for Lower Lake Waterworks Board of Directors.

Chair Rushing asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board, appointed Ellen L. Pearson to Lower Lake Waterworks Board of Directors. The motion carried by the following vote:

Ayes- Supervisors: 3 - Comstock, Smith and Brown

Nayes- Supervisors: 1 - Rushing

Absent- Supervisors: 1 - Farrington

9.4 Consideration of Irrevocable Offer of Dedication for Roadway and Public Utility Purposes and Approval and authorization for the Chair to sign the Resolution for the Summary Vacation of a portion of Konocti Road (CR#518)

Public Works County Surveyor Gordon Haggit presented the item to the Board.

Chair Rushing asked if anyone present wished to speak. No one present wished 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 Farrington was ABSENT), accepted the irrevocable offer of dedication for roadway/public utility purposes.

Supervisor Brown offered Resolution No. 2014-131, and it was passed by roll call vote (4 ayes, Supervisor Farrington was ABSENT).

Ayes- Supervisors: 4 - Comstock, Smith, Brown and Rushing

Absent- Supervisors: 1 - Farrington

Enactment No: Resolution No. 2014-131

- 9.5** Advanced from November 4, 2014 - SECOND READING - Consideration of Ordinance Separating the Water Rate Charges from the Construction Charges and Fees for CSA #21, North Lakeport Water.

Chair Rushing announced this was the second reading for the proposed ordinance and asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

Supervisor Smith offered Ordinance No. 3015, and it was passed by roll call vote (4 ayes, Supervisor Farrington was ABSENT).

Enactment No: Ordinance No. 3015

- 9.6** Advanced from November 4, 2014 - SECOND READING - Consideration of Ordinance Amending the Construction Charges and Fees for CSA #21, North Lakeport Water.

Chair Rushing announced this was the second reading for the proposed ordinance and asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

Supervisor Brown offered Ordinance No. 3016, and it was passed by roll call vote (4 ayes, Supervisor Farrington was ABSENT).

Enactment No: Ordinance No. 3016

- 9.7** Advanced from November 4, 2014 - SECOND READING - (Sitting as the Lake County Sanitation District Board of Directors) - PUBLIC HEARING - Consideration of Ordinance Amending Sections 706A and 706B of the Sewer Use Ordinance Pertaining to Sewer Capacity Expansion Fees for Connections to the Northwest and Southeast Regional Wastewater Facilities.

Sitting as the Lake County Sanitation District Board of Directors - Director Rushing announced this was the second reading for the proposed ordinance and asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

Director Smith offered Ordinance No. 3017, and it was passed by roll call vote (4 ayes, Supervisor Farrington was ABSENT).

Enactment No: Ordinance No. 3017

- 9.8** Advanced from November 4, 2014 - SECOND READING - (Sitting as the Lake County Sanitation District Board of Directors) - PUBLIC HEARING - Consideration of Ordinance Adding Sections 706A.1 and 706B.1 to the Sewer Use Ordinance Pertaining to Sewer Collection System Capacity Fees for Connections to the Northwest and southeast Regional Wastewater Facilities.

Sitting as the Lake County Sanitation District Board of Directors - Director Rushing announced this was the second reading for the proposed ordinance and asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

Director Smith offered Ordinance No. 3018, and it was passed by roll call vote (4 ayes, Supervisor Farrington was ABSENT).

Enactment No: Ordinance No. 3018

9.9 Consideration of Contracts with Lake County Waste Solutions and South Lake Refuse and Recycling for Solid Waste Handling and Recycling Services.

This item was carried over to December 2, 2014 @ 10am

9.10 Consideration of Final Actions Relative to Eastlake Landfill Gas Project: a) Change Order No. 3; b) Resolution Amending Resolution No. 2014-111 to Amend the FY 2014-15 Adopted Budget by Adjusting Fund Balance Carry Over and Reducing Contingencies; c) Resolution Authorizing the Public Services Director to Sign a Notice of Completion For Work Performed Under Agreement For Construction of the Landfill Gas Collection and Control System.

Public Services Director Caoline Chavez presented the item to the Board.

Chair Rushing asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Smith, and by vote of the Board (4 ayes, Supervisor Farrington was ABSENT), approved final reconciling change order for the Landfill Gas Collection and Control System (Bid No. 13-11), an additional amount of \$6,509.50 for a total construction cost of \$1,175,453.50 and authorize the Public Services Director to sign.

(b) Supervisor Smith offered Resolution No. 2014-132, and it was passed by roll call vote (4 ayes, Supervisor Farrington was ABSENT).

(c) Supervisor Smith offered Resolution No. 2014-133, and it was passed by roll call vote (4 ayes, Supervisor Farrington was ABSENT).

9.11 Consideration of Task Force Agreement between the Lake County Sheriff's Office and DEA Task Force Group (Oakland).

Interim Undersheriff Macedo presented the item to the Board.

Chair Rushing asked if anyone present wished to speak and Thomas Wahl spoke. No one else present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Smith, and by vote of the Board, approved the Agreement between the Lake County Sheriff's Office and DEA Task Force Group (Oakland). The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Brown and Rushing

Absent- Supervisors: 1 - Farrington

9.12 Consideration of Resolution approving an application for funding and the execution of a grant agreement and any amendments thereto with the Board of State and Community Corrections for Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds to implement Recidivism Reduction Program.

Interim Undersheriff Macedo presented the item to the Board.

Chair Rushing asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

Supervisor Smith offered Resolution No. 2014-134, and it was passed by roll call vote (4 ayes, Supervisor Farrington was ABSENT).

9.13 Consideration of letter of support for the proposal to locate a Bureau of Land Management Field Office in Lake County.

Deputy County Administrative Officer Alan Flora presented the item to the Board.

Chair Rushing asked if anyone present wished to speak. No one present wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board, approved the letter of support for proposal to locate a Bureau of Land Management field office in Lake County. The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Brown and Rushing

Absent- Supervisors: 1 - Farrington

10. Closed Session

Chair Rushing announced the Board would now go into Closed Session for the reasons stated on the agenda.

10.1 Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, M. Perry, A. Flora and C. Shaver; and (b) Employee Organizations: DDAA, DSA, LCCOA, LCEA and LCSEA

10.2 Public Employee Performance Evaluations

Title: County Counsel

Title: Health Services Director

11. Adjournment

The Board reconvened into Regular Session at 12:20 p.m. having taken no action.

There being no further business, the Board of Supervisors adjourned at 12:20 p.m.

MATT PERRY

Clerk of the Board

By: _____

Alicia M. Flores

Assistant Clerk of the Board

Chair - Lake County Board of Supervisors