

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

**OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JUNE 8, 2010**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 8<sup>th</sup> day of June, 2010, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Rob Brown and Anthony Farrington, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:04 a.m. by Chair Farrington. Following the moment of silence, Supervisor Brown 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 Smith and by vote of the Board (5 ayes), approved the Consent Agenda Items C-1 through C-10, with the exception of Consent Item C-10, which will be taken up immediately following the approval of the Consent Agenda.

Approved Budget Transfer B-288 in the amount \$50,000 to cover Fiscal Year 2009/2010 Unemployment Claims (2<sup>nd</sup> Quarter payment), Budget Unit No. 9918 - ISF Unemployment and authorized the Chair to sign.

Approved new job classification (Welfare Fraud Investigator Trainee, Welfare Fraud Investigator and Welfare Fraud Investigator Supervisor), for Probation Department.

Approved partial non-renewal of Williamson Act Contract 69-02, established by Resolution No. 69-22, that was recorded on March 21, 1969, Book Number 583, pages 652-659, property located at 23495 Morgan Valley Road, Lower Lake, (a portion of APN 012-010-10 - Richard Duane and Malia-Han Ferdolage), as recommended in the Memorandum from Community Development Director Rick Coel, dated May 27, 2010.

Waived the 900 hour limit for extra-help Victim Advocate Talsu Suzuki (not to exceed 1,200 hours).

Waived the 900 hour limit for extra-help Janitor Maria Perez (not to exceed 1,000 hours).

Adopted Resolution No. 2010-101, amending Resolution No. 2010-86 establishing position allocations to conform to the Fiscal Year 2009/2010 Final Budget, Budget Unit No. 1903 - Department of Public Works (deleting one Accountant I/II position and two .5 FTE Secretary I/II positions).

Authorized the Social Services Director to issue the June 8, 2010, "Notice Rejecting All Bids", to the four bidders who responded to Bid No. 10-46, replacement of telephone system for the Department of Social Services.

Sitting as the Board of Directors of Kelseyville County Waterworks District #3, approved Easement Deed and directed Clerk to certify for recordation (APNs 008-039-14 and 008-039-18 - Walter G. Lyon - Trustee and Madelene M. Lyon - Trustee); and approve Right-of-Way Agreement between the County of Lake and Walter G. Lyon and Madelene M Lyon, for Kelseyville Wastewater Treatment Facilities Improvement Project authorized the Chair to sign.

Sitting as the Board of Directors of Lake County Redevelopment Agency, adopted Resolution No. 2010-102, accepting conveyance of real property located in Nice and Lucerne, CA (APNs 033-473-12, 033-683-05, 030-041-25 and 030-041-26).

**CONSENT ITEM C-10 - Consideration of Approval of Plans and Specifications for Lucerne 3<sup>rd</sup> Avenue Plaza Improvement Project, Bid No. 10-47, Grant #RN-17-002** - A memorandum from Deputy Redevelopment Director Eric Seely, dated June 8, 2010, was received, requesting the Board to pull this item from today's agenda.

This item was carried over one week to June 15, 2010, for consideration.

2. **ITEM A-5 - 9:15 A.M. - HEARING - Notice of Nuisance Abatement - 12453 Widgeon Way, Clearlake Oaks, CA (APN 35-111-27 - Chris Nelson and Michelle Nelson)** - Code Enforcement Officer Allison Garrett contacted the Clerk's Office on June 7, 2010, stating that the Nelsons' have self-abated the property and no further action is required.

3. **ITEM A-8 - Discussion/consideration of request to authorize the use of up to \$100,000 from Budget Unit No. 1781-Special Projects, to subsidize the Orchard Shores Zone of Benefit and direction by the Board to proceed with the balloting process** - Public Works Director Brent Siemer was present and gave an overview of the proposed Zone of Benefit. On July 7, 2009, the Board of Supervisors gave direction to the Department of Public Works to initiate the process for establishing a Zone of Benefit for the Orchard Shore Subdivision. Since it was too late to accomplish all of the steps prior to the deadline for submittal to the State Board of Equalization, the balloting was scheduled for the summer of 2010. There was \$200,000 set aside in Fiscal Year 2008/2009 to subsidize small area road benefit zones. The Board subsequently froze all of Budget Unit No. 1781 - Special Project funds, unless the use is specifically authorized by the Board. The current cost for the project has not been fully updated, but is estimated to be around \$180,000. If the 164 parcels were to carry the cost of this project, the average benefit assessment would be around \$250 per year for five years. This would be a hardship on the residents in the subdivision, which makes this project eligible for a subsidy. With a subsidy of \$95,000, the estimated annual assessment would be approximately \$120.

Chair Farrington asked if anyone present wished to speak on this item and Mr. Michael Dunlap spoke. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), authorized the use of up to \$100,000 from Budget Unit No. 1781 - Special Projects, to subsidize the Orchard Shores Zone of Benefit and directed the Department of Public Works to proceed with the balloting process as listed in Exhibit "B" (attachment to the memorandum from Public Works Director Brent Siemer, dated May 25, 2010).

4. **ITEM A-6 - 9:30 A.M. - Discussion/consideration of letters of support for AB 1040 (Padilla), for extension and expansion of the California Advanced Services Fund (CASF), to provide assistance to internet service providers for cost of expanding broadband to unserved areas of Lake County** - Public Services Analyst Terre Logsdon was present and gave a power-point presentation on AB 1040. This bill would increase funding for the California Advanced Services Fund (CASF) by an additional \$125 million over 5 years to support broadband deployment statewide and position California to maximize opportunities under the new National Broadband Plan. With the continuation and expansion of CASF funds, private businesses would have additional funding opportunities that would enable them to provide broadband services in the unserved areas of Lake County, of which there are areas throughout Lake County where high speed broadband is not available.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved letters of support of AB 1040, to Assemblymember Steven Bradford and Assemblymember Steve Knight, for extension and expansion of the California Advanced Services Fund, to provide assistance to internet service providers for the cost of expanding broadband to unserved areas of Lake County and authorized the Chair to sign both letters.

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5. **ITEM A-9 - Discussion/consideration of request to award Bid No. 10-24 in the amount of \$448,485, to Bouthillier's Construction for construction of 2005/2006 Storm Damage Repair Project on Bartlett Springs Road (PM 29.3)** - Public Works Director Brent Siemer was present.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), awarded Bid No. 10-24 in the amount of \$448,485, to Bouthillier's Construction for construction of 2005/2006 Storm Damage Repair Project on Bartlett Springs Road (PM 29.3), and authorized the Chair to sign.

6. **ITEM A-10 - Discussion/consideration of request to award Bid No. 10-36 in the amount of \$142,755.65, to Bouthillier's Construction for construction of the Soda Bay Road MPM 7.68-7.70 Storm Damage Repair Project** - Public Works Director Brent Siemer was present.

On motion of Supervisor Brown and by vote of the Board (5 ayes), awarded Bid No. 10-36 in the amount of \$142,755.65, to Bouthillier's Construction for construction of the Soda Bay Road MPM 7.68-7.70 Storm Damage Repair Project and authorized the Chair to sign.

The Board of Supervisors adjourned and convened as the Board of Directors of Kelseyville County Waterworks District #3.

7. **ITEM A-11 - Discussion/consideration of request to award Bid No. SD 10-13 for Kelseyville Water Main Replacement Project** - Special Districts Administrator Mark Dellinger was present.

Director Brown offered Resolution No. 2010-103 (approving a bid and awarding a contract for the Kelseyville water distribution system upgrades), and it was passed by a roll-call vote (5 ayes).

On motion of Director Brown and by vote of the Board (5 ayes), awarded Bid No. SD 10-13 to RAD Construction in the amount of \$135,000 and approved Contract between Kelseyville County Waterworks District #3 and RAD Construction for Kelseyville water distribution system upgrades and authorized the Chair to sign Notice of Award and contract.

The Board of Directors of Kelseyville County Waterworks District #3 adjourned and reconvened as the Board of Supervisors.

8. **ADDENDUM A-1 - Consideration of request to authorize the Clerk of the Board of Supervisors to notify Kelseyville Unified School District and Upper Lake Union Elementary School District that the Board of Supervisors will not issue Tax and Revenue Anticipation Notes (TRAN) on behalf of the districts** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved request to authorize the Clerk of the Board of Supervisors to notify Kelseyville Unified School District and Upper Lake Union Elementary School District that the Board of Supervisors will not issue Tax and Revenue Anticipation Notes (TRAN) on behalf of the districts.

9. **ITEM A-12 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert, M. Perry and J. Hammond; and (b) Employee Organization: LCCOA, SDA and DDAA; and 2. Conference with Legal Counsel - (a) Decision whether to initiate litigation pursuant to Government Code Section 54956.9(c): International Surfacing Systems; and (b) Significant exposure to litigation - One potential case (Government Code 54956.9(b))** - Chair Farrington announced that the Board will now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 11:29 a.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Georgine Hunt  
Assistant Clerk of the Board