

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

**OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MARCH 16, 2010**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 16<sup>th</sup> day of March, 2010 there being present Supervisors Jim Comstock, Jeff Smith, Anthony Farrington, Rob Brown and Denise Rushing, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:03 a.m. by Chair Farrington. After a moment of silence dedicated to the memory of Lower Lake resident Bruce Dietrich, County Administrative Officer Supervisor Brown led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF THE CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-10, with the exception of C-4, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors meeting held on March 9, 2010.

Approved letter to Ofer Tenebaum, CEO of PNC, Inc., in support of project to improve broadband internet service in Lake County and authorized the Chair to sign.

Approved Easement Deed and directed Clerk to certify for recordation (a portion of APN 008-007-14 - U.S. Department of the Interior Bureau of Indian Affairs - Big Valley Band of Pomo Indians); and approved Right-of-Way Agreement between the County of Lake and the U.S. Department of the Interior Bureau of Indian Affairs (Big Valley Band of Pomo Indians), for Big Valley Rancheria Road Project and authorized the Chair to sign.

Approved Plans and Specifications for Morgan Valley Road Road PM 4.14 to 4.15, for storm damage repair and authorized Public Works Director/Assistant Purchasing Agent to advertise for bids.

Authorized the Sheriff's Department to submit a grant application to the Department of Boating and Waterways in the amount of \$11,500 for the purchase of a PWC (personal watercraft) and trailer and authorized the Sheriff and the Chair to sign.

(a) Approved Memorandum of Understanding between the County of Lake and the California Statewide Automated Welfare System Consortium IV; and

(b) Approved the Joint Exercise of Powers Agreement between the County of Lake and the California Statewide Automated Welfare System Consortium IV and authorized the Chair to sign both documents.

Waived the 900 hour limit for extra-help employee William Key.

Adopted Resolution No. 2010-51 setting rate of pay for Election Officers for the June 8, 2010 Statewide Direct Primary Election pursuant to Section 12310 of the Elections Code.

Sitting as the Board of Directors of the Lake County Watershed Protection District, approved Amendment to Agreement between the Lake County Watershed Protection District and the Regents of the University of California (acting for and on behalf of the John Muir Institute of its Davis Campus), extending the term to June 30, 2010, without additional costs and authorized the Chair to sign.

**CONSENT AGENDA ITEM C-4 - Discussion/consideration of proposed Resolution authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated June 23, 2009 (State Street Pavement Rehabilitation and Accessibility Improvements from Main Street to Gaddy Lane, Kelseyville - Project No. RPL-5914(051) - Bid No. 09-30)** - Public Works Director Brent Siemer presented staff report.

This item was continued to later in the day.

2. **ITEM A-4 - Current Construction Projects - Contract Change Orders:**

**Contract Change Order #3 - State Street Pavement Rehabilitation & Accessibility Improvements (from Main Street to Gaddy Lane, Kelseyville, CA)** - This change order addresses the removal of Bid Item #28 - install new centerline monuments - as this work will be provided by the County, removal and replacement of a fence that was not on the original plans; provide and install water filled barricades to protect utility poles in the travel way; and the balancing of final in-place quantities, for an increase of \$29,239.17.

Public Works Director Brent Siemer presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Brown NO), approved Change Order #3 - State Street Pavement Rehabilitation & Accessibility Improvements (from Main Street to Gaddy Lane, Kelseyville, CA), Team Ghilotti, Inc., for an increase of \$29,239.17, and authorized the Chair to sign the Change Order.

**BACK TO #1 - CONSENT AGENDA ITEM C-4 - Discussion/consideration of proposed Resolution authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated June 23, 2009 (State Street Pavement Rehabilitation and Accessibility Improvements from Main Street to Gaddy Lane, Kelseyville - Project No. RPL-5914(051) - Bid No. 09-30)** - Supervisor Smith offered Resolution No. 2010-52, and it was passed by roll call vote (4 ayes, Supervisor Brown NO).

3. **ITEM A-5 - 9:15 A.M. - (a) Annual Report by the Lake County Child Care Planning Council regarding accomplishments during 2008/2009; and (b) Discussion/consideration of revised Bylaws of the Lake County Child Care Planning Council** - (a) Council Chair Shelly Mascari presented the annual report to the Board.

(b) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the revised bylaws of the Lake County Child Care Planning Council.

4. **ITEM A-6 - 9:30 A.M. - HEARING - Notice of Nuisance Abatement - 6146 Second Avenue, Lucerne, CA (APN 034-064-36 - Millie Kost Smith)** - Community Development Director Rick Coel and Code Enforcement Officer Kimberlee Heckard were sworn in by the Clerk.

No owner representation was present.

Chair Farrington verified proper owner notification had taken place.

Ms. Heckard gave a power point presentation to the Board regarding the condition of the property.

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On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 6146 Second Avenue, Lucerne, CA (APN 034-064-36 - Millie Kost Smith), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property, and authorized the Chair to sign the abatement order.

5. **ITEM A-7 - 9:45 A.M. - HEARING - Notice of Nuisance Abatement - 6608 Fourteenth Avenue, Lucerne, CA (APN 034-201-08 - Dorothy Kemper)** - Community Development Director Rick Coel and Code Enforcement Officer Kimberlee Heckard were sworn in by the Clerk.

No owner representation was present.

Chair Farrington verified proper owner notification had taken place.

Ms. Heckard gave a power point presentation to the Board regarding the condition of the property.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 6608 Fourteenth Avenue, Lucerne, CA (APN 034-201-08 - Dorothy Kemper), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property, and authorized the Chair to sign the abatement order.

6. **ITEM A-13 - Consideration of application for appointment to the Animal Control Advisory Board** - On motion of Supervisor Smith and by vote of the Board (5 ayes), appointed Kathleen Langlais to the Animal Control Advisory Board, for a term expiring January 1, 2011.

7. **ITEM A-14 - Consideration of proposed Resolution amending position allocation in Budget Unit No. 1904 - Information Technology and determination of effective date of the appointment of new Information Technology Director** - County Administrative Officer Kelly Cox presented the staff report.

Supervisor Comstock offered Resolution No. 2010-53, with an effective date of April 1, 2010, and it was passed by roll call vote (5 ayes).

8. **ITEM A-8 - 10:00 A.M. - HEARING - Notice of Nuisance Abatement - 6499 Thirteenth Avenue, Lucerne, CA (APN 034-192-23 - Nicholas Pavoni and Maria Pavoni)** - Community Development Director Rick Coel and Code Enforcement Officer Kimberlee Heckard were sworn in by the Clerk.

No owner representation was present.

Chair Farrington verified proper owner notification had taken place.

Ms. Heckard gave a power point presentation to the Board regarding the condition of the property.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 6499 Thirteenth Avenue, Lucerne, CA (APN 034-192-23 - Nicholas Pavoni and Maria Pavoni), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property, and authorized the Chair to sign the abatement order.

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

9. **ITEM A-17 - Update on emergency action taken on March 2, 2010, regarding the Southeast Regional Wastewater Collection System - Interim Collection System improvements** - Supervisors Smith and Comstock presented a brief summary on this item.

On motion of Director Rushing and by vote of the Board (5 ayes), determined the state of emergency still exists.

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

10. **ITEM A-16 - Consideration of Participating Agreement between the County of Lake and Gila Corporation (dba Municipal Services Bureau), for recovery of court ordered debt and other outstanding debts owed to the County** - Treasurer-Tax Collector Sandra Kacharos gave a brief summary.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Participating Agreement between the County of Lake and Gila Corporation (dba Municipal Services Bureau), for recovery of court ordered debt and other outstanding debts owed to the County, and authorized the Chair to sign.

11. **ITEM A-9 - 10:15 A.M. - HEARING - Notice of Nuisance Abatement - 3158 Buckingham Way, Nice, CA (APN 031-192-64 - Yvonne Cox)** - Community Development Director Rick Coel, Code Enforcement Officer Kimberlee Heckard and Ken Wozniak were sworn in by the Clerk.

Chair Farrington verified proper owner notification had taken place.

Ms. Heckard gave a power point presentation to the Board regarding the condition of the property.

Mr. Wozniak gave testimony.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 3158 Buckingham Way, Nice, CA (APN 031-192-64 - Yvonne Cox), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property, and authorized the Chair to sign the abatement order.

12. **ITEM A-10 - 10:30 A.M. - HEARING - Notice of Nuisance Abatement - 3154 Buckingham Way, Nice, CA (APN 031-192-63 - Yvonne Cox)** - Community Development Director Rick Coel, Code Enforcement Officer Kimberlee Heckard and Ken Wozniak were sworn in by the Clerk.

Chair Farrington verified proper owner notification had taken place.

Ms. Heckard gave a power point presentation to the Board regarding the condition of the property.

Mr. Wozniak gave testimony.

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On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 3154 Buckingham Way, Nice, CA (APN 031-192-63 - Yvonne Cox), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property, and authorized the Chair to sign the abatement order.

After a brief recess, the Board reconvened into Regular Session at 10:54 a.m.

13. **ITEM A-11 - 10:50 A.M. – HEARING – Notice of Assessment Hearing – 12560 Foothill Boulevard, Clearlake Oaks, CA (APN 035-152-62 – Dawn Temple)** - Community Development Director Rick Coel, Code Enforcement Officer Kimberlee Heckard and Jarrel Johnson were sworn in by the Clerk.

Ms. Heckard presented the staff report.

Mr. Johnson gave testimony.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), confirmed the assessment of \$4,314.44 for nuisance abatement on property located at 12560 Foothill Boulevard, Clearlake Oaks, CA (APN 035-152-62 - Dawn Temple), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

14. **ITEM A-15 - Discussion and request for Board direction regarding the NEPA Environmental Protection Act Environmental Assessment (EA) Project description for the Lampson Airport wastewater transmission line project and related infrastructure improvements** - Public Works Director Brent Siemer and Community Development Director Rick Coel were present.

Mr. Siemer presented the staff report.

Chair Farrington asked if anyone was present wishing to speak and Nancy Ruzicka spoke. No one else was present wishing to speak and the public input portion of this item was closed.

By consensus, the Board directed staff to delineate the project area to include the land described in the Lake County Special Districts Field Sewer Feasibility Study, dated June June 1999, plus the area of land on the adjacent north side of the runway designated Service Commercial - Airport Related, in the Lake County General Plan Update.

15. **ITEM A-18 - 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 2. Public Employee Performance Evaluation: Title: Animal Care and Control Director** - Chair Farrington 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.

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

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

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