

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JULY 24, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 24th day of July, 2012, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, Interim County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Brown. A moment of silence was dedicated to the memory of Sophie Jenson. Following the moment of silent, George Speake led the salute to the flag of the United States of America.

1. **ITEM A-2 - 9:05 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-5.

Approved Minutes of the Board of Supervisors meeting held on July 17, 2012.

Approved amended list of Capital Assets authorized to be purchased prior to adoption of the FY 2012-2013 Budget, as described by staff memorandum dated July 19, 2012.

Approved Plans and Specifications for Victoria Drainage Channelization and Culvert Upgrade in Lake County (Bid No. 12-14), and authorized the Public Works Director/Assistant Purchasing Agent to advertise for bids.

Approved out of state travel for Detectives Luke Bingham and Steve Herdt to attend the 2012 Clan Lab Certification Training School No. 279 at the Clandestine Laboratory Training and Research Center in Quantico, Virginia from August 5-11, 2012 (partially reimbursable, balance to be paid with Budget Unit 2214 - Sheriff/Asset Forfeiture funds).

Sitting as the Lake County Watershed Protection District Board of Directors, (a) approved Grant Deed and directed Clerk to certify for recordation (APN 004-021-24 - Kevin Morrill and Esther Morrill), and approved Purchase Agreement between the Lake County Watershed Protection District and Kevin Morrill and Esther Morrill, for Middle Creek Flood Damage Reduction and Ecosystem Restoration Project; (b) approved Grant Deed and directed Clerk to certify for recordation (APN 004-016-34 - Robert Sterling and Kelly Sterling), and approved Purchase Agreement between the Lake County Watershed Protection District and Robert Sterling and Kelly Sterling, for Middle Creek Flood Damage Reduction and Ecosystem Restoration Project; and (c) approved Grant Deed and directed Clerk to certify for recordation (APN 004-016-02 - Philip Rooney and Marcia Rooney), and approved Purchase Agreement between the Lake County Watershed Protection District and Philip Rooney and Marcia Rooney, for Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, and authorized the Chair to sign Agreements.

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

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

Change Order #4 - Southeast Force Main & Pump Station Project - This change order addresses 24 inch sleeving pipe over 14 inch sewer force main, and re-align 14 inch force main on Spruce Avenue between Utah Avenue and Cass Avenue - Special Districts Administrator Mark Dellinger presented the staff report.

On motion of Director Smith and by vote of the Board (5 ayes), approved Change Order #4 - Southeast Force Main & Pump Station Project - This change order addresses 24 inch sleeving pipe over 14 inch sewer force main, and re-align 14 inch force main on Spruce Avenue between Utah Avenue and Cass Avenue, for an increase of \$79,333.38, Preston Pipelines, Inc., and authorized the Chair to sign.

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

Change Order #1 - Remodeling at 14954 Burns Valley Road, Clearlake, CA - Deputy County Administrative Officer Jeff Rein presented the staff summary.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Budget Transfer B-429, in the amount of \$200, to Budget Unit 4014 - FA-Buildings & Improvements, and authorized the Chair to sign.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Change Order #1 - Remodeling at 14954 Burns Valley Road, Clearlake, CA, for an increase of \$200, Deep Green Building & Remodeling, and authorized the Chair to sign.

PUBLIC INPUT - County Health Officer Karen Tait, MD spoke regarding an upcoming community survey on emergency preparedness issues.

Thomas Allen Green spoke regarding corruption in Lake County.

Joan Moss spoke regarding the many reasons for the recent failure of Measure D.

3. **ITEM A-5 - 9:15 A.M. - HEARING - Nuisance Abatement of 16350 Second Street, Lower Lake, CA (APN 024-282-02 - Harvey Barnett and Linda Barnett)** - Community Development Director Rick Coel was sworn in by the Clerk and presented the staff report.

Neither the owner, nor representation was present.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), confirmed the assessment of \$1,577.80, for nuisance abatement on property located at 16350 Second Street, Lower Lake, CA (APN 024-282-02 - Harvey Barnett and Linda Barnett), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

4. **ITEM A-11 - Consideration of proposed Resolution affirming Board of Supervisors' policy to continue to post agendas and disclose action taken in Closed Session** - Chair Brown introduced this item.

Supervisor Smith offered Resolution No. 2012-88, and it was passed by roll call vote (5 ayes).

5. **ITEM A-6 - 9:30 A.M. - PUBLIC HEARING - (a) Consideration of the Community Development Block Grant Program Annual Grantee Performance Report for Program Income Activities, including Housing Rehabilitation RLF, Business Expansion and Retention RLF, and Public Works Activities (Middletown Senior Center); and (b) Consideration of the Community Development Block Grant Program Annual Grantee Performance Report for Grant No. 09-EDEF-6539** - Deputy County Administrative Officer Alan Flora presented the staff report.

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

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This item was informational only. No Board action was taken on this item.

6. **ITEM A-12 - Consideration of proposed letter in opposition of Senate Bill 1221 (Lieu) regarding the ban on the use of dogs while hunting bear or bobcat** - Chair Brown introduced this item.

The Board took no action on this item .

7. **ITEM A-10 - Consideration of the following appointments: In Home Support Services (IHSS) Advisory Committee** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), appointed Joana Wolf to the IHSS Advisory Committee (Disabled Consumer), for a term to expire January 1, 2014.

8. **ITEM A-7 -9:40 A.M. - (a) Presentation of update regarding the Middle Creek Restoration Project and request for Board direction regarding future updates; and (b) Consideration of proposed letter to Congressman Thompson requesting federal support for Detail Design and Construction phase of the Middle Creek Restoration Project** - Water Resources Director Scott De Leon and Middle Creek Project Manager George Speake were present.

Mr. Speake presented the update to the Board.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Victoria Brandon, Joan Moss and Phil Murphy. No one else was present wishing to speak and the public input portion of this item was closed.

No action was taken on this item.

After a brief recess, the Board reconvened into Regular Session at 10:50 a.m.

PUBLIC INPUT - Grace Skidmore spoke regarding the County Code on cleanup after one's dog.

Starr Skidmore spoke regarding methamphetamine production in Lower Lake.

9. **ITEM A-8 - Continued from July 10 and 18, 2012 - 10:00 A.M. - (a) Consideration of draft expenditure plans for various funding amounts generated by a Countywide Transportation Sales Tax Measure; (b) Consideration of draft expenditure plans for various funding amounts generated by a Countywide Lake Program Sales Tax Measure; and (c) Consideration of proposed Resolutions authorizing Countywide Sales Tax Measures for Transportation and/or Lake Programs** - Water Resources Director Scott De Leon, Registrar of Voters Diane Fridley and Auditor Cathy Saderlund were present.

Mr. De Leon presented the staff report.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Melissa Fulton and Joan Moss. No one else was present wishing to speak and the public input portion of this item was closed.

Amendments were made to the proposed resolution.

This item was continued two weeks, to August 7, 2012, at 10:00 a.m.

10. **ITEM A-13 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, M. Perry, J. Hammond and A. Flora; and (b) Employee Organization: DDAA 2. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Sec. 54956.9 (a) - Beckway v. Deshong, et al. (b) Hatfield v. County of Lake, et al. and (c) Rivero v. Lake County Board of Supervisors, et al. - Case No. CV 411638 3. Employee Disciplinary Appeal EDA 2012-05** - Chair Brown announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 12:20 p.m. and took the following action:

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Response to Hearing Officer Recommendations and Final Decision and authorized the Chair to sign.

On motion of Supervisor Smith and by vote of the Board (5 ayes), denied Employee Disciplinary Appeal EDA 2012-05.

There being no further business, the Board of Supervisors adjourned at 12:21 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya G. Turner
Assistant Clerk of the Board