

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 23, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 23rd day of October, 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. Following a moment of silence, Road Superintendent 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 Consent Agenda items C-1 through C-10.

Approved Minutes of the Board of Supervisors meetings held on August 29, October 2 and October 9, 2012.

Adopted Proclamation commending Charles Villines on his years of service to the County.

Approved Agreement between the County of Lake and the Lake County Chamber of Commerce for FY 2012-2013 marketing, economic development and visitor information services, in the amount of \$50,000, and authorized the Chair to sign.

Adopted Resolution No. 2012-136, approving Agreement No. 12-0130 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 2012/13.

Approved request to allow for solicitation of individual donations to support the Community Cat spay/neuter program.

Approved the Connector Model Service Agreement (County Retiree Health Plans for Age 65 and older Medicare Recipients), and authorized the Chair to sign.

Approved two-year Agreement between the County of Lake and BC Labs, Inc., for an amount not to exceed \$47,000, for water sampling and analysis at the Eastlake Landfill, and authorized the Chair to sign.

Approved permit to conduct aeronautical activities at Lampson Field Airport (Steve's Aircraft), and authorized the Chair to Sign.

Adopted Resolution No. 2012-137, amending Resolution No. 2012-107, amending position allocation for Fiscal Year 2012-2013 in BU 5011, Social Services (addition of one Deputy Social Services Director position).

Sitting as the Lake County Sanitation District Board of Directors, (a) approved Easement Deed and directed Clerk to certify for recordation (APNs 010-043-36, 010-043-38, 010-43-043-39 & 042-122-26 - City of Clearlake), and approved Right of Way Agreement between the County of Lake and the City of Clearlake for the construction of the wastewater force main sanitary sewer line, and authorized the Chair to sign agreement.

2. **ITEM A-10 - Consideration of proposed acquisition of surplus SolarBee units for use in algae abatement efforts in Soda Bay** - Water Resources Director Scott DeLeon was present.

Supervisor Brown introduced this item.

Chair Brown asked if anyone was present wishing to speak and Cheri Holden spoke. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to direct staff to pursue acquisition of the SolarBee units.

3. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating the week of October 22-30, 2012 as Red Ribbon Week** - Supervisor Rushing read the Proclamation into the record.

4. **ITEM A-6 - 9:15 A.M. - Presentation of Proclamation commending Charles Villines on his years of service to the County** - Supervisor Brown read the Proclamation into the record and presented it to Charles Villines.

Public Works Director Scott DeLeon spoke.

Many Public Works staff members were present.

5. **ITEM A-12 - Consideration of proposed resolution accepting and confirming ballot tabulation for the establishment of Zone R (Chippewa South) of County Service Area No. 23, approving formation of Zone R and assessments for Zone R road maintenance** - Public Works Director Scott DeLeon presented the staff report.

Supervisor Smith offered Resolution No. 2012-138, and it was passed by roll call vote (5 ayes).

6. **ITEM A-13 - Consideration of request to award Bid No. 12-14 for the construction of the Victoria Drainage and Channelization and Culvert Upgrade Project in Lucerne (Federal Project No. HMGP 1646-15-05R)** - Public Works Director Scott DeLeon presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), awarded Bid No. 12-14 for the construction of the Victoria Drainage and Channelization and Culvert Upgrade Project in Lucerne (Federal Project No. HMGP 1646-15-05R), to Bouthillier Construction, in the amount of \$239,3000, and authorized the Chair to sign.

7. **ITEM A-11 - Consideration of proposed Resolution of support of enforcement of AB2284 (Chesbro) allowing law enforcement to conduct vehicle stops on vehicles carrying irrigation equipment on public lands** - Supervisor Rushing introduced the item.

Supervisor Rushing offered Resolution No. 2012-139, and it was passed by roll call vote (5 ayes).

8. **ITEM A-7 - 9:30 A.M. - HEARING - Nuisance Abatement of 10337 Pinewood Way, Whispering Pines, CA (APNs 050-261-16, 050-261-12 & 14 - Joan Fontaine and Dorothy Fontaine)** - Community Development Director Rick Coel, Code Enforcement Officer and Building Inspector Brandon Holler, Michael Wilson and Joan Fontaine were sworn in by the Clerk.

Mr. Coel and Mr. Holler presented the staff report.

Mr. Wilson and Ms. Fontaine gave testimony.

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On motion of Supervisor Comstock and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 10337 Pinewood Way, Whispering Pines, CA (APN 050-261-16, 050-261-12 & 14 - Joan Fontaine and Dorothy Fontaine), by November 9, 2012, 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.

9. **ITEM A-8 - 9:45 A.M. - Consideration of proposed Lease Agreement between the County of Lake and Marymount College for the establishment of a college campus at the Lucerne Hotel** - Interim County Administrative Officer Matt Perry presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Lease Agreement between the County of Lake and Marymount College for the establishment of a college campus at the Lucerne Hotel, and authorized the Chair to sign.

10. **ITEM A-9 - Supervisors' weekly calendar, travel and reports** - On motion of Supervisor Smith and by vote of the Board (5 ayes), authorized out of County travel for Supervisor Rushing to attend the PUC Hearing regarding Lucerne, in San Francisco, on October 29, 2012.

11. **ITEM A-14 - 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, LCCOA and LCEA 2. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Sec. 54956.9(a): Estate of Hatfield v. County of Lake, et al. 3. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Sec. 54956.9 (a): Dinius v. County of Lake 4. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Sec. 54956.9 (a): Hawley Ranches, et al. v. State of California, et al.** - 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 10:58 a.m. and took the following action:

On motion of Supervisor Smith and by vote of the Board (5 ayes), in the matter of Dinius v. County of Lake, et al., tendered the County's defense to CSAC-EIA.

There being no further business, the Board of Supervisors adjourned at 10:59 a.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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