

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

**OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 4, 2012**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 4<sup>th</sup> day of September, 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, Harry DeLope 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-10.

Approved Minutes of the Board of Supervisors meeting held on August 28, 2012.

Adopted Resolution No. 2012-108, fixing tax rates for local agencies, general obligation bonds and other voter approved indebtedness for Fiscal Year 12/13.

Approved request and order consolidation of the City of Lakeport's election with the General Municipal Election to be held on November 6, 2012, for the purpose of electing three City Council members.

Approved request and order consolidation of the elections of the Northshore Fire Protection District and the Redbud Health Care District with the General Municipal Election to be held on November 6, 2012, for the purpose of electing two Fire Protection District Directors and three Health Care District members.

Approved request and order consolidation of the elections of the Konocti Unified School District, Middletown Unified School District and Yuba Community College District with the General Municipal Election to be held on November 6, 2012, for the purpose of electing two Trustees (Konocti), two Trustees (Middletown), and four Board members (Yuba).

Adopted Resolution No. 2012-109, authorizing the Director of Public Services Department to sign a Notice of Completion for work performed under Agreement dated September 19, 2011 (Courthouse Elevator Renovation Project, Bid No. 11-03).

Approved Agreement between the County of Lake and California Department of Boating and Waterways for the 2012/13 patrol boat and trailer grant, in the amount of \$30,000, and authorized the Sheriff to sign.

Sitting as the Lake County Watershed Protection District Board of Directors, adopted Resolution No. 2012-110, authorizing Chairman to execute Lease Amendment 1 between the Lake County Watershed Protection District and John Irwin (adding additional property and increasing the rent at 1305, 1370 and 1405 Reclamation Cutoff Road, Upper Lake).

Approved proposed County newsletter for inclusion in the September 2012 Tax Collector mailing.

Approved out-of-state travel for a Deputy District Attorney (DDA) to attend a parole hearing in Blythe, California by way of Phoenix, Arizona as it is the most economical route of travel.

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Nehemiah White presented one canine currently available for adoption.

3. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

**Extra #1 - (a) Consideration of request to waive the formal bidding process and make the determination that competitive bidding would produce no economic benefit to the County; and (b) Consideration of request to authorize the Public Works Director/Asst. Purchasing Agent to issue a purchase order to Opperman & Son, Inc., for the purchase of one 2008 Peterbilt Heavy Haul Tractor** - On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved taking up this item as an extra.

This item was taken up for the following reason: Last week, during Budget Hearings, the Board approved the revision of the department's budget to procure this truck. The department now requests immediate consideration of the requested purchase by the Board, as there are other willing buyers waiting.

**PUBLIC INPUT** - Phil Mathewson spoke regarding the upcoming Shipwreck Day event.

Harry DeLope and Maggie Stivers spoke regarding an error in the water bills for their mobile home park.

Scott Gabaldon requested Board opposition to SB 1221. By consensus, the Board scheduled this item for consideration on September 11, 2012, at 10:15 a.m.

4. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating September 2012 as Alcohol and Drug Addiction Recovery Month** - Supervisor Farrington read the proclamation into the record and presented it to Linda Morris, who spoke.

5. **ITEM A-6 - 9:15 A.M. - Consideration of resident request to waive sewage fees; property located at 12086 Mead Road, Middletown, CA (APN 050-411-070 - Cathleen Green)** - Supervisor Comstock introduced this item.

No Board action was taken on this item.

6. **ITEM A-8 - Update on emergency action taken August 21, 2012 regarding the Wye and Walker fires** - Interim County Administrative Officer Matt Perry presented the staff report.

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

This item was continued three weeks, to September 25, 2012, at 9:15 a.m.

7. **ITEM A-10 - Consideration of proposed Natural Hazard Mitigation Plan and request for staff support for future updates** - Captain Chris Macedo and Public Works Director Scott DeLeon were present.

Capt. Macedo presented the staff report.

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

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Typographical errors were noted in the draft plan. Staff assured the Board these errors would be fixed.

Supervisor Rushing offered Resolution No. 2012-111, and it was passed by roll call vote (5 ayes).

8. **ITEM A-11 - (a) Consideration of request for approval of an Administrative Encroachment Permit for the Splash-In seaplane event; and (b) Consideration of request for a waiver of the permit fee (\$665)** - Water Resources Director Scott DeLeon presented the staff report.

(a) On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Administrative Encroachment Permit for the Splash-in seaplane event.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), waived the permit fee (\$665).

9. **ITEM A-9 - Consideration of proposed Ordinance amending specified provisions of Article I of Chapter 4 of the Lake County Code relating to Animal Control (SECOND READING)** - Supervisor Comstock offered Ordinance No. 2979, and it was passed by roll call vote (5 ayes).

10. **ITEM A-12 - 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 Section 54956.9(a): In re Municipal Derivatives Antitrust Litigation 3. Conference with Legal Counsel: Pending Litigation Decision Whether to Initiate Litigation Pursuant to Government Code Section 54956.9(c): One Potential Case** - 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 11:10 a.m. and took the following action:

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved participation in the settlement in the matter of In re. Municipal Derivatives Antitrust Litigation as to JP Morgan Chase and Wells Fargo resulting from the County's purchase of municipal derivatives in the amount of \$ 13,372.63, and authorized the Chair to sign.

There being no further business, the Board of Supervisors adjourned at 11:12 a.m.

MATT PERRY  
Clerk of the Board

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Chair - Lake County Board of Supervisors

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