

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD AUGUST 20, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 20th day of August, 2013, there being present Supervisors Jim Comstock, Denise Rushing, Anthony Farrington, Rob Brown and Jeff Smith, 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 Smith. After a moment of silence, Supervisor Rushing 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 Comstock and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-14, with the exception of Item C-9, which was taken up later in the day.

Approved Minutes of the Board of Supervisors meeting held on August 13, 2013.

Approved Agreement between County of Lake and North Valley Behavioral Health for FY 2013-14 psychiatric health facility services, maximum amount of \$200,000, and authorized the Chair to sign.

Approved Agreement between County of Lake and Sten-Tel Transcription Services, for FY 2013-14 transcription services, maximum amount of \$10,000, and authorized the Chair to sign.

Approved Agreement between County of Lake and Konocti Senior Support, Inc., for FY 2013-14 senior peer counseling and Friendly Visitors Program, maximum amount of \$81,986, and authorized the Chair to sign.

Approved Agreement between the County of Lake and California Psychiatric Transitions for FY 2013-14 mental health services, maximum amount of \$64,000, and authorized the Chair to sign.

Approved City of Clearlake's request to consolidate election services for the City of Clearlake with the General District Election on November 5, 2013, in relation to the Transaction and Use Tax of One Percent for Street and Road Maintenance and Code Enforcement.

Approved First Amendment to Agreement between the County of Lake and Mendo-Lake Alternative Services (clarifying term of payment), and authorized the Chair to sign.

Adopted Resolution No. 2013-89, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated March 5, 2013 (Riviera Heights CSA Pavement Improvements, Kelseyville).

Consent Agenda Item C-9 - Adopt Resolution authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated July 29, 2013 (Victoria Drainage Channelization and Culvert Upgrade, Lucerne) - This item was removed from the Consent Agenda and taken up later in the day.

Approved two-year General Services Agreement between the County of Lake and PEI, Inc., for on-call materials engineering and testing services, total maximum amount not to exceed \$150,000, and authorized the Chair to sign.

Approved five-year Lease Agreement between the County of Lake and Pauline Usher and Donald Usher for storage space at 9425 Highway 53, Lower Lake, CA (rate of 500.21/month the first year, with no greater than a 6.5% increase each year), and authorized the Chair to sign.

(a) Waived the formal bidding process; (b) Approved the purchase of 60 workstations, from NWN Corporation; and (c) Authorized the Social Services Director/Asst. Purchasing Agent to issue a purchase order to NWN Corporation, in the amount of \$54,129.51, for 60 workstations.

Adopted Resolution No. 2013-90, approving the sale of surplus real property owned by the County (APN 242-090-32 - 4855 Heidi Way; sale price minimum: \$110,000).

Approved advanced step hiring of Deputy Chief Building Official Michael Lockett, due to applicant's extraordinary qualifications (5th step salary range).

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

Change Order No. 2 - Riviera Heights CSA Pavement Improvements - This change order addresses the balancing of actual in-place quantities.

Public Works Director Scott DeLeon presented the staff summary.

Supervisor Farrington extended his thanks and appreciation to the Public Works Road Crew for their quality work and efforts to be cooperative with the public.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved Change Order No. 2 - Riviera Heights CSA Pavement Improvements, an increase of \$7,804.10, Central Valley Engineering & Asphalt, Inc., and authorized the Chair to sign.

PUBLIC INPUT - Voris Brumfield spoke regarding the Gibson Library and Cultural Center.

Supervisors Comstock and Brown were absent at 9:09 a.m.

Supervisor Comstock was present at 9:11 a.m.

Supervisor Brown was present at 9:14 a.m.

Joan Moss spoke regarding the water in Clear Lake.

Supervisor Brown declared a conflict with the next item and was absent at 9:17 a.m.

3. **ITEM A-5 - 9:15 A.M. - (a) Update on Lakeside Heights Subdivision; and (b) Consideration of continued state of local emergency and other actions relating to the public water and sewer systems** - Special Districts Administrator Mark Dellinger and Public Works Director Scott DeLeon were present.

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(a) Mr. Dellinger presented the update to the Board.

Chair Smith asked if anyone was present wishing to speak and Joan Moss spoke. No one else was present wishing to speak and the public input portion of this item was closed.

(b) There was Board consensus to continue the state of local emergency.

Supervisor Brown was present at 9:38 a.m.

BACK TO #1 - CONSENT AGENDA ITEM C-9 - Adopt Resolution authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated July 29, 2013 (Victoria Drainage Channelization and Culvert Upgrade, Lucerne) - Public Works Director Scott DeLeon presented the staff report.

Supervisor Rushing offered Resolution No. 2013-91, and it was passed by roll call vote (5 ayes).

4. **ITEM A-6 - 9:30 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$7,867.81 - 8426 Lake Street, Lower Lake, CA (APN 012-054-20 - A.C. Trary)** - Community Development Director Rick Coel was sworn in by the Clerk.

Neither the owner, nor representation was present.

Mr. Coel presented the staff report.

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

5. **ITEM A-7 - 9:45 A.M. - Consideration of request for deferral and 12-month payment plan of Sewer Capacity Expansion and System Capacity Fees; location 470 Shannon Lane, Lakeport (APN 028-222-090 - Alice Petrie)** - Community Development Director Rick Coel, Fiscal Officer Jan Coppinger, Customer Service Coordinator Jill Shaul and Alice Petrie were present.

Ms. Shaul presented the staff report.

Ms. Petrie spoke.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the 12-month payment plan of Sewer Capacity Expansion and System Capacity Fees; location 470 Shannon Lane, Lakeport (APN 028-222-090 - Alice Petrie).

There was Board consensus to direct staff to develop and submit for the Board's consideration, a written policy addressing similar situations.

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

6. **ITEM A-8 - 10:00 A.M. - HEARING - Nuisance Abatement of 2957 Merced Street, Nice, CA (APN 031-173-62 - H.F. Assets, LLC)** - Community Development Director Rick Coel, John Michael Weber and Daniel McMann were sworn in by the Clerk.

Mr. Coel presented the staff report.

Mr. Weber gave testimony.

Chair Smith asked if anyone was present wishing to speak and Daniel McMann spoke. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), upheld the Notice of Nuisance and Order to Abate posted July 18, 2013, for nuisance conditions at 2957 Merced Street, Nice, CA, also known as APN 031-173-62, and authorized staff to coordinate with the Marijuana Eradication Task Force to abate the excess number of marijuana plants found to be in violation of Lake County Ordinance 2978, if not abated by Friday, August 23, 2013, at 8:00 a.m. All costs associated with this abatement case shall become a charge against the property.

7. **ITEM A-9 - 10:30 A.M. - Presentation of update on departmental fiscal status** - Chair Smith announced this item would be carried over five weeks, to September 24, 2013.

8. **ITEM A-10 - Consideration of request to (a) Waive the Consultant Selection Procedure; and (b) Award construction quality assurance contract relative to the Landfill Gas Collection and Control Project at the Eastlake Landfill to SCS Engineering** - Public Services Director Caroline Chavez and Deputy Public Works Director Jeff Rein were present.

Mr. Rein presented the staff report.

(a) On motion of Supervisor Rushing and by vote of the Board (5 ayes), waived the Consultant Selection Procedure.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), awarded the quality assurance contract relative to the Landfill Gas Collection and Control Project at the Eastlake Landfill to SCS Engineering, in the amount of \$77,050 (excess costs to be preapproved by the Public Services Director or the Board of Supervisors, as applicable), and authorized the Chair to sign.

Chair Smith cited a conflict with the next item and was absent at 10:29 a.m.

The gavel was passed to Vice Chair Rushing.

9. **ITEM A-11 - Consideration of proposed plans and specifications for 60,000 gallon bolted steel potable water storage tank, and request to authorize the Special Districts Administrator/Asst. Purchasing Agent to advertise for bids** - Special Districts Administrator Mark Dellinger presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved the plans and specifications for 60,000 gallon bolted steel potable water storage tank, and authorized the Special Districts Administrator/Asst. Purchasing Agent to advertise for bids.

After a brief recess, the Board convened into Closed Session at 10:40 a.m.

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10. **ITEM A-12 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, S. Harry, M. Perry, A. Flora and C. Shaver; and (b) Employee Organization: DDAA, DSA, LCCOA, LCEA and LCSEA**
2. Conference with real property negotiator (a) Property located at: 3980 Gard Street, Kelseyville (APN 024- 081-01)
(b) Negotiating Parties: For County: Supervisor Rob Brown, Child Support Services Director Gail Woodworth, County Administrative Officer Matt Perry and Deputy County Administrative Officer Alan Flora For seller: Kelseyville Unified School District representatives (c) Under Negotiation: Lease terms
3. Public Employee Evaluation: Title: Air Pollution Control Officer - Chair Smith 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 at 11:10 a.m.

There being no further business, the Board of Supervisors adjourned at 11:10 a.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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