

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA
MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD AUGUST 3, 2004

The Honorable Board of Supervisors of Lake County, California, met in regular session this 3rd day of August, 2004, there being present Supervisors Ed Robey, Jeff Smith, Gary Lewis, Anthony Farrington and Rob Brown, Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:01 a.m. by Chair Brown, following a moment of silence, Principal Planner Rick Coel led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-6, with the exception of Consent Item C-6 which will be taken up immediately following the approval of the Consent Agenda.

Approved Harry Deffenbraugia to Glenbrook Cemetery District Governing Board, to fill an unexpired term ending January 1, 2005.

Adopted Resolution No. 2004-126, approving Final Parcel Map and the signing of the Final Parcel Map (Burt).

Approved Joint Operating Operation and Financial Plan for Controlled Substances between the County of Lake and U.S. Forest Service, for reimbursable services provided by law enforcement in the Mendocino National Forest, and authorized the Chair to sign.

Approved Operating and Financial Plan for Cooperative Patrol between the County of Lake and U.S. Forest Service, for reimbursable services provided by law enforcement in the Lake Pillsbury Region, and authorized the Chair to sign.

Authorized the Registrar of Voters to render all services necessary to conduct the South Lake County Fire Protection District's Special Election on November 2, 2004, pursuant to Resolution No. 2004-15 of the Governing Board of said fire district.

CONSENT ITEM C-6 - CONSIDERATION OF AMENDED DISTRIBUTION OF EXCESS PROCEEDS ON APN 142-332-180, FROM TAX SALE #141 PER SECTION 4675 OF THE REVENUE AND TAXATION CODE. AS RECOMMENDED IN MEMORANDUM DATED JULY 14, 2004, FROM TREASURER-TAX COLLECTOR KAY LYTTON - A Memorandum from Assistant Clerk of the Board, dated July 28, 2004, was received and requested that this item be pulled from today's agenda. The Memorandum stated that this item had been previously approved by the Board of Supervisors on July 27, 2004, and there was no further action required on this item.

2. **ITEM A-3 - CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS:**

CHANGE ORDER NO. 1, CONSTRUCTION OF SIDEWALK ON COUNTRY CLUB DRIVE, LUCERNE - This change order addresses a balancing of contract quantities to reflect in place quantities.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Change Order No. 1, for a decrease of \$8,438.30, Epidendio Construction, Inc., construction of sidewalk on Country Club Drive, Lucerne, and authorized the Chair to sign.

CHANGE ORDER NO. 2, CONSTRUCTION OF SIDEWALK ON COUNTRY CLUB DRIVE, LUCERNE - This change order addresses the need to construct a new handicap access. This access will replace the existing handicap access that was blocked when the new sidewalk was installed.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Change Order No. 1, for an increase of \$3,700, Epidendio Construction, Inc., construction of sidewalk on Country Club Drive, Lucerne, and authorized the Chair to sign.

3. **ITEM A-13 - Continued From May 15, 2004 - CONSIDERATION OF RECOMMENDATIONS FOR APPOINTMENTS TO FILL THREE VACANCIES ON THE GEOTHERMAL ADVISORY COMMITTEE** - Community Development Director Mary Jane Fagalde was present and stated that there are actually five vacancies on the Geothermal Advisory Committee.

On motion of Supervisor Robey and by vote of the Board (5 ayes), appointed Special Districts Administrator Mark Dellinger, Deputy Air Pollution Control Officer Ross Kauper and Holly Harris (member of the general public), to the Geothermal Advisory Committee.

This item will be placed on the August 17, 2004, agenda, to fill the remaining vacancies on the Geothermal Advisory Committee.

4. **CITIZEN 'S INPUT** - Mr. David Smith stated that State has approved the final provisions pertaining to the In-Home Supportive Services (IHSS) Program, and requested that the Board of Supervisors finalize negotiations with a fair and equitable contract with the United Domestic Workers of America.

5. **ITEM A-4 - 9:06 A.M. - PUBLIC HEARING - CONSIDERATION OF PROPOSED RESOLUTION APPROVING AN UPDATED HOUSING ELEMENT TO THE LAKE COUNTY GENERAL PLAN** - Principal Planner Rick Coel and Deputy Redevelopment Director Andy Peterson were present.

Mr. Larry Mintier, representing Mintier and Associates, was also present.

Mr. Coel gave a brief overview of the Housing Element. The Lake County Housing Element is one of seven mandatory general plan elements. Planning law in California requires counties and cities to revise their housing elements periodically. Government Code dictates the contents and scope of housing elements, and requires that elements include a 5-year action plan that establishes the County's housing goals and objectives. It also requires development of a program to meet the County's housing needs. The Draft Lake County Housing Element Update consists of two major sections (1) The Housing Background Report; and (2) The Housing Policy Document. The Background Report includes an assessment of housing needs, and inventory of available sites and housing financing programs, and an analysis of potential housing constraints. It also contains an evaluation of the existing housing elements programs. The Policy Document contains goals, policies and implementation programs.

Mr. Mintier gave a power-point presentation regarding the proposed revisions to the Lake County Draft Housing Elements. Also presented were additional proposed revisions that were recommended by the State Department of Housing and Community Development. These revisions included: (1) Demographic and employment characteristics and trends; (2) Housing stock characteristics; (3) Housing conditions; (4) Housing costs compared to ability to pay; (5) Special housing needs; (6) Future housing needs; (7) Availability of land and services; (8) Inventory of local, state, and federal housing and financing programs; (9) Energy conservation opportunities; (10) Potential government constraints; and (11) Potential non-governmental constraints.

Chair Brown opened the public hearing and the following persons spoke: Mr. John Roddy and Mr. Andy Rossoff. No one else was present wishing to speak and the public hearing was closed.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 3, 2004

On motion of Supervisor Lewis and by vote of the Board (5 ayes), found that on the basis of the Initial Study No. 04-49, that the Housing Element Update, including additional revisions that were recommended by the State Department of Housing and Community Development, for the Lake County General Plan will not have a significant effect on the environment and therefore adopt a negative declaration with the findings listed in the Board Memorandum dated July 26, 2004.

Supervisor Lewis offered Resolution No. 2004-127, and it was passed by a roll-call vote (5 ayes).

After a short recess, the Board reconvened at 10:45 a.m.

6. **ITEM A-5 - 9:45 A.M. - DISCUSSION REGARDING THE CONCEPT OF TRANSFERRING THE OPERATIONS AND MAINTENANCE OF THE HIGHLAND SPRINGS PARK FROM THE DEPARTMENT OF PUBLIC WORKS TO THE PUBLIC SERVICES DEPARTMENT** - Assistant Public Works Director Bob Lossius, Public Services Director Kim Clymire and Deputy Public Services Director Caroline Chavez were present.

Supervisors Lewis and Farrington will meet with Public Works and Public Services staff to discuss options regarding the operation and maintenance of the Highland Springs Park, and recommendations will be brought back to the Board at a later date for further discussion.

7. **ITEM A-6 - 10:15 A.M. - REQUEST FOR BOARD DIRECTION REGARDING WAIVERS FROM GATE FEES AND SPECIAL HANDLING FEES CHARGED AT THE COUNTY SOLID WASTE LANDFILL AND LAKEPORT SOLID WASTE TRANSFER STATION** - Public Services Director Kim Clymire, Deputy Public Services Director Caroline Chavez and Community Development Director Mary Jane Fagalde were present.

Chair Brown asked if anyone present wished to speak on this item and the following persons spoke: Mr. Bob Summerall, Mr. Steve Able, Mr. John Roddy, Mr. Robert Stark and Mr. Ray Mostin. No one else was present wishing to speak and the public portion of this item was closed.

This issue will be discussed during the next Solid Waste Task Force meeting and recommendations will be brought back to the Board at a later date for further discussion.

8. **ITEM A-7 - Carried Over From July 20, 2004 - 10:45 A.M. - PRESENTATION BY MR. JOHN STODDARD REGARDING DAMAGE TO PROPERTIES LOCATED ON IROQUOIS TRAIL RESULTING FROM A MISPLACED CULVERT THAT WAS LOCATED ON THE CORNER OF KONOCTI BAY ROAD, AND CONDITIONS THAT ARE BEING REQUIRED RESULTING FROM THIS EROSION BY ENVIRONMENTAL HEALTH IN ORDER TO CONSTRUCT A SEPTIC SYSTEM LOCATED AT 4917 IROQUOIS TRAIL, KELSEYVILLE** - Chair Brown requested that this item be carried over to a later date.

9. **ITEM A-9 - 11:30 A.M. - PROPOSED ORDINANCE AMENDING CHAPTER 28 OF THE LAKE COUNTY CODE REGARDING THE EXTRACTION AND EXPORTATION OF GROUNDWATER FROM LAKE COUNTY** - Assistant Public Works Director Bob Lossius and Community Development Director Mary Jane Fagalde were present.

On motion of Supervisor Robey and by vote of the Board (5 ayes), waived the reading of the ordinance and had it read in title only (Clerk so did).

On motion of Supervisor Robey and by vote of the Board (5 ayes), advanced the ordinance two weeks to August 17, 2004.

After a short recess, the Board reconvened at 12:10 p.m.

The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Flood Control and Water Conservation District.

10. **ITEM A-8 - 11:00 A.M. - DISCUSSION/CONSIDERATION OF RECOMMENDATION TO ADOPT THE BIG VALLEY GROUNDWATER MANAGEMENT RECHARGE INVESTIGATION UPDATE** - Assistant Public Works Director Bob Lossius and Water Resources Engineer Tom Smythe were present.

Mr. Smythe gave an overview of goals of the Big Valley Groundwater Recharge Investigation Update which included the following:

- (1) Evaluate patterns and changes in groundwater quality;
- (2) Determine aquifer conditions and evaluate changes over time;
- (3) Develop a volumetric model of the basin to facilitate management of groundwater and groundwater recharge and extractions; and (4) Identify threshold levels in specified wells within the basin where groundwater problems occur.

The major findings include: (1) Portions of the basin are experiencing progressive degradation of groundwater quality due to inflow and mixing of geothermal water, and indication that insufficient freshwater recharge is occurring; (2) Large portion of the basin are experiencing a rise in nitrate and nitrite levels that are approaching regulatory drinking water limits. (The sources of the elevated nitrate and nitrite levels are unknown); (3) Insufficient data is available to definitively correlate water quality changes with groundwater elevations; (4) Drawdowns are typically 10 to 20 feet, however, drawdowns can reach 50 to 60 feet during drought periods. (Extreme drawdowns during the 1987-1992 drought were deeper than during the 1975-1977 drought); (5) Conversion to grapes from pears had reduced agricultural water consumption, however, water demand is still sufficient to cause overdraft during droughts. (Potential growth of water demand indicate that drought related problems are likely to become more severe); (6) Because of limited data available, the development of a volumetric model and development of threshold water levels was not possible with the limited budget.

Some potential options for addressing overdraft include: (1) Implement an agricultural water management plan; (2) Implement urban water efficiency measures; (3) Increase surface water supplies; (4) Increase groundwater recharge; and (5) Improve groundwater monitoring programs (improve the current water level monitoring program and expand the current water quality monitoring program).

The recommended groundwater studies include: (1) More detailed evaluation of the two aquifers in the northern part of the basin; (2) Investigate enhanced recharge of the volcanic ash aquifer; (3) Develop estimates of hydro geologic parameters; and (4) Monitor land and water use practices in the basin.

Chair Brown asked if anyone present wished to speak on this item and Mr. William Barquist. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Director Farrington and by vote of the Board (5 ayes), adopted the Big Valley Groundwater Management Recharge Investigation Update.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 3, 2004

The Board of Directors of Lake County Flood Control and Water Conservation District adjourned and reconvened as the Board of Supervisors.

The Board of Supervisors adjourned for lunch at 1:05 p.m. and reconvened at 1:47 p.m.

11. ITEM A-10 - 1:30 P.M. - JOINT MEETING WITH THE LAKE COUNTY PLANNING COMMISSIONERS REGARDING ISSUES AND ALTERNATIVES REPORT OF THE GENERAL PLAN UPDATE - Lake County Planning Commissioners Frieda Camotta, Gary Briggs, Marvin Butler, Clifford Sweinam and Gilbert Schoux were present.

Principal Planner Richard Coel was also present and gave a brief overview of the report. This report was developed based on input from the Citizen's Advisory Committee to the General Plan Update, three public workshops, and interviews with County staff from various departments, Planning Commissioners and Board members. Nine major issues were identified and are used in this report to "frame" policy choices and identify alternatives that could be used to address the issues.

Mr. Richard Russ, Community Planning Manager with URS Corporation was present and gave a power-point presentation/overview of the report. When preparing the report, several broad themes became apparent and are as follows: (1) Implementation; (2) incorporation; (3) integration; (4) infrastructure; and (5) identity.

The nine major issues that are used in this report as follows:

1. Clear Lake

- (a) Clear Lake management quality; (b) Clear Lake water rights and management; (c) recreation/tourism.

2. Quality of Life

- (a) Community identity; and (b) new development.

3. Jobs./Economic Development

- (a) Jobs; (b) employment development; (c) infrastructure/employment; (d) workforce development; and (e) small business development.

4. Water Resources

- (a) Community water systems; (b) water conservation/reuse; and (c) water quality and supply.

5. Traffic

- (a) Roadway development and maintenance; and (c) public transportation.

6. Natural Resources

- (a) Wildlife protection/management; and (b) wildlife corridors.

7. Agriculture

- (a) Preservation of agricultural land; and (b) increase agricultural viability.

8. Tourism

- Tourism expansion; and (b) casino development.

9. Land Use

- (a) Land use designations; (b) new Growth; and (c) smart growth.

There was no action taken on this item.

12. ITEM A-12 - DISCUSSION REGARDING AN AMENDMENT TO THE LAKE COUNTY ZONING ORDINANCE AND OTHER REGULATIONS OF THE HOURS OF OPERATION FOR AUTO REPAIR BUSINESSES - Supervisor Lewis gave a brief overview of the proposal. As Lake County has developed over the years, there is an issue with auto repair businesses next to residential, which can cause problems especially if an auto repair business begins operations late in the evening to the early morning hours. With impact equipment and other noise producing tools being used, this becomes an issue with neighbors trying to sleep. Because of the impact or potential impact an auto repair business can have on neighbors, a request is being made for the Board to consider restricting the hours of operation on auto repair businesses with the availability of obtaining a variance if it is determined that it would not be a nuisance to neighbors.

There was no action taken on this item.

13. ITEM A-14 - CLOSED SESSION - Sitting as the Board of Directors of the Lake County IHSS Public Authority: 1. Conference with Labor Negotiator, Agency Negotiator: Fran Buchanan - IDEA, Employee Organization: United Domestic Workers of America (U.D.W.A.) - Chair Brown announced that the Board will 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 3:50 p.m.


Chair - Lake County Board of Supervisors



KELLY F. COX
Clerk of the Board

By: 
Georgine Hunt
Assistant Clerk of the Board