

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JANUARY 13, 2004

The Honorable Board of Supervisors of Lake County, California, met in regular session this 13<sup>th</sup> day of January, 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 Lewis, following a moment of silence, Personnel Director Glenn Walters led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-12.

Approved Minutes of the Board of Supervisors Meeting held December 23, 2003.

Adopted proclamation designating the month of January 2004, as National Volunteer Blood Donor Month in Lake County.

(a) Approved Agreement between the County of Lake and Senior Support Services, Inc. for Fiscal Year 2003/2004 funding, and authorized the Chair to sign; (b) approved Agreement between the County of Lake and the Lakeport Senior Activity Center, Inc. for Fiscal Year 2003/2004 funding, and authorized the Chair to sign; (c) approved Agreement between the County of Lake and the Highlands Senior Service Center, Inc. for Fiscal Year 2003/2004 funding, and authorized the Chair to sign; (d) approved Agreement between the County of Lake and Kelseyville Seniors, Inc. for Fiscal Year 2003/2004 funding, and authorized the Chair to sign; (e) approved Agreement between the County of Lake and Middletown Senior Citizens, Inc. for Fiscal Year 2003/2004 funding, and authorized the Chair to sign; (f) approved Agreement between the County of Lake and the Live Oak Senior Center, Inc. for Fiscal Year 2003/2004 funding, and authorized the Chair to sign; (g) approved Agreement between the County of Lake and the Area Agency on Aging for Fiscal Year 2003/2004 funding, and authorized the Chair to sign.

Authorized Auditor-Controller to reissue checks to Teresa Chen in the amount of \$347.50, Jacqueline Sue Hudson in the amount of \$365.32, Jorge Reyes Gutierrez and Yolanda Bautista Perez in the amount of \$453.26, Randy and Christy Williams in the amount \$922.34, and Stephen Waters in the amount of \$925.91, due to duplicate property tax payments being made (request from First American Real Estate Tax Services, Tax Agent for Total Mortgage Solutions).

Waived the 900 hour limit for extra-help Secretary Michele Hill.

Approved Contract between the County of Lake and Sunny Hills Children's Garden, for residential and specialty mental health services for seriously emotionally disturbed children, and authorized the Chair to sign.

Adopted Resolution No. 2004-08, approving application for Museums for America Grant from the Institute of Museum and Library Services.

Approved out-of-state travel for Water Resources Engineer Tom Smythe, to Emmitsburg, Maryland, February 9-12, 2004, to attend a Training Program on Flood Hazard Mapping (lodging and airfare to be paid for by FEMA).

Adopted Resolution No. 2004-09, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under Agreement dated September 9, 2003 (construction of guard rail at two locations).

Adopted Resolution No. 2004-10, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under Agreement dated June 10, 2003 (Lake County Juvenile Home Detention Facility Improvements).

Approved out-of-state travel for Special Districts Administrator Mark Dellinger and Supervisor Robey, to Washington D. C., February 10-13, 2004, to seek funding for the Full Circle Project.

Appointed Meriel Medrano to the Middletown Area Plan Committee.

2. **ITEM A-2 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

**EXTRA #1 - (a) DISCUSSION REGARDING STATE BUDGET IMPACTS ON COUNTY GOVERNMENT; (b) CONSIDERATION OF ENACTING A COUNTYWIDE HIRING FREEZE ON HIRING OF NEW EMPLOYEES, TO BE EFFECTIVE JANUARY 13, 2004; and (c) AUTHORIZE THE BOARD CHAIR AND COUNTY ADMINISTRATIVE OFFICER TO BE THE DELEGATED AUTHORITY TO APPROVE HIRING WAIVERS IN EXTREME CIRCUMSTANCES WHEN NO REASONABLE ALTERNATIVE EXISTS** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

This item was considered as an extra for the following reasons:

The need to take action arose after the posing of today's agenda, and any delays in Board action will result in new employees continuing to be hired, which will make it even more difficult to balance next year's budget and will increase the number of layoffs which are eventually necessary to enact.

Administrative Officer Kelly Cox gave an overview of the proposal. The Governor's proposed State budget for Fiscal Year 2004/2005 was released on Friday, January 9, 2004. If enacted as proposed, the impact on County government will be severe. In order to immediately begin preparing for the reductions, staff is recommending that the Board enact a Countywide freeze on hiring of new employees. Staff will be meeting with all department heads next week to further review the budget situation and additional recommendations will be presented to the Board in weeks ahead.

Sheriff Mitchell was also present.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), enacted a Countywide hiring freeze on hiring on new employees, to be effective on January 13, 2004, and authorized the Board Chair and County Administrative Officer to be the delegated authority to approve hiring waivers in extreme circumstances when no reasonable alternative exists.

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

**Change Order No. 8, Point Lakeview Road Pavement Rehabilitation and Drainage Improvements** - It was determined by the resident engineer that the roadside drainage structure at Station 54+00 R is comprised, due to extreme degradation of the existing facilities and that the replacement of said structure is the most cost effective method of correcting the problem.

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On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Change Order No 8, for an increase of \$7,206.90, Granite Construction Company, Point Lakeview Road Pavement Rehabilitation and Drainage Improvements, and authorized the Chair to sign.

**CITIZEN'S INPUT** - Mr. John Roddy spoke on the Brown Act.

4. **ITEM A-4 - 9:06 A.M. - PUBLIC HEARING - PLANNING COMMISSIONS' RECOMMENDATION FOR APPROVAL OF A RESZONE (RZ03-12) PROPOSED FOR DOROTHY VIALE FROM "CR" (RESORT COMMERCIAL) TO "R2" (TWO-FAMILY RESIDENTIAL); AND THE ADOPTION OF A NEGATIVE DECLARATION FOR RZ 03-12, BASED ON THE INITIAL STUDY 03-49; LOCATED AT 3875 LAKESHORE BOULEVARD, LAKEPORT, CA (APN 029-231-46)** - Principal Planner Rick Coel and Associate Planner Emily Minton were present.

Ms. Minton gave a brief background report. The applicant is requesting to rezone approximately four acres on Lakeshore Boulevard from "CR" Resort Commercial to "R2" Two-Family Residential. The majority of the property lies on the westside of Lakeport Boulevard. There is a 30-foot wide portion of the parcel on the eastside of Lakeshore Boulevard that is zoned "R1" Single-Family Residential and is not a part of the rezone request. The general plan designations for the western portion of the property are medium and high density residential. The proposal is consistent with there general plan designations. In addition to considering the rezone on December 11, 2003, the Planning Commission approved a tentative parcel map for the creation of two parcels. The tentative approval includes a condition that the property be rezoned to "R2". If this project is approved, "R2" zoning would allow each proposed parcel to be developed with two residential dwellings and a number of duplexes. Section 15303 of the California Environmental Quality Act exempts the construction of one single-family residence, a second dwelling and up to two duplexes from environmental review. If three or more duplexes are proposed in the future, further environmental review will be required. Additionally, the Zoning Ordinance requires a use permit for the development of more than five duplexes per parcel. According to Lakeport Area Plan, there are only 2.1 acres designated "R2" in the planning area. This type of development is appropriate at this site because the property fronts a County-maintained road and public water and sewer are available. Both the Housing Section (5.2) and the Land Use and Zoning Plans (5.5) of the Lakeport Area Plan encourage development in the north Lakeport area that is compatible with the neighborhood character and that will provide land that is suitable for the development of housing. The proposal is consistent with surrounding development, which is primarily single-family residential. There are single-family homes on the adjacent "R1" zoned parcels to the north, south and east. The subject parcel is currently developed with a single-family home, which is consistent with the proposed "R2" zoning. This project will eliminate four acres of commercial resort zoning. However, the Lakeport Area Plan designated this property as residential in its land use plan. Therefore, the Planning Commission was supportive of this change. This property will provide an excellent opportunity for needed residential infill development in the north Lakeport area. The rezoning of this is consistent with the general plan land use designations of the property and will provide land that is suitable for the development of housing.

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

On motion of Supervisor Farrington and by vote of the Board (5 ayes), found on the basis of Initial Study No. 03-49, that the rezone applied for by Dorothy Viale will not have a significant effect on the environment and therefore adopt a negative declaration for the proposed rezoning with the findings listed in the Board Memorandum dated December 18, 2003.

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

Supervisor Farrington offered Ordinance No. 2673, and it was passed by a roll-call vote (5 ayes).

5. **ITEM A-5 - Continued From December 23, 2003 - 9:15 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED RESOLUTION APPROVING REVISION #2 TO THE LAKE TRANSIT AUTHORITY 2003/2004 BUDGET AND TDA CLAIM** - Lake Transit Manager Mark Wall was present.

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

Supervisor Lewis offered Resolution No. 2004-07, and it was passed by a roll-call vote (5 ayes).

6. **ITEM A-6 - 9:45 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF JANUARY 2004, AS NATIONAL VOLUNTEER BLOOD DONOR MONTH IN LAKE COUNTY** - Supervisor Farrington read the proclamation into the record. The proclamation was presented to Chief Executive Officer Cathy Byran.

7. **ITEM A-7 - 9:50 A.M. - DISCUSSION ON FEDERAL TRANSPORTATION ENHANCEMENT FUND AVAILABILITY** - Public Works Director Gerry Shaul was present.

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

On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Farrington NO), directed staff to contact the Technical Advisory Committee and explain that the County does have projects that would use all the available Transportation Enhancement Funds, however, the County cannot determine if there will be matching funding available for these projects until the State has a final budget plan, and will request that the funding be earmarked for these projects until after the adoption of the State budget.

After a short recess, the Board reconvened at 11:33 a.m.

8. **ITEM A-9 - Continued From January 6, 2004 - CONSIDERATION OF REMAINING APPOINTMENTS TO THE IN-HOME SUPPORTIVE SERVICES (IHSS) ADVISORY BOARD** - Social Services Director Carol Huchingson and Public Authority Coordinator Michele Dibble were present.

Ms. Michele Dibble stated that Ms. Christine Hicks has declined her appointment to the In-Home Supportive Services (IHSS) Advisory Board, which will leave three (3) vacancies on this Board.

Chair Brown asked if anyone present wished to speak and the following persons spoke: Ms. Molly Hillis, Mr. Jim Cooms, Mr. John Roddy and Ms. Janet Galliger. No one else was present wishing to speak and the public portion of this item was closed.

There was consensus by the Board to continue with recruitment to fill the three vacancies on this Board.

9. **ITEM A-8 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), authorized travel for Supervisor Robey to Sacramento on January 20, 2004, and to Santa Rosa on February 9, 2004.

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Supervisor Lewis made a motion to approve his travel to Eureka to attend a retirement party for Mr. Rick Knapp, motion died for lack of second.

There being no further business, the Board adjourned at 12:16 p.m.

  
Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By:   
Georgine Hunt  
Assistant Clerk of the Board



