

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**  
**MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JUNE 22, 2004**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 22<sup>nd</sup> day of June, 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 9:02 a.m. by Chair Brown, following a moment of silence, Ms. Elaine Morin 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-22.

Approved Minutes of the Board of Supervisors Meeting held on June 8, 2004.

Appointed Paul Lauenroth to the Kelseyville Cemetery District Board of Trustees, for a term expiring on June 22, 2008.

Approved letters to Senator Chesbro and Assemblywoman Berg expressing concern relative to SB 1212, the Local Government Revenue Balancing Act, and authorized the Chair to sign.

Approved Contract between the County of Lake and Drug Abuse Alternatives Center, for provision of alcohol and drug counseling services to Lake County adolescents attending Genesis Academy for Fiscal Year 2004/2005, and authorized the Chair to sign.

Approved Contract between the County of Lake and Ford Street Project, for Provision of social model detoxification services, for Lake County residents for Fiscal Year 2004/2005, and authorized the Chair to sign.

Approved Contract between the County of Lake and Drug Abuse Alternatives Center, for provision of perinatal treatment for pregnant or parenting women experiencing alcohol or drug related problems for Lake County residents for Fiscal Year 2004/2005, and authorized the Chair to sign.

Approved Contract between the County of Lake and Drug Abuse Alternatives Center Turning Point Residential Services, for provision of residential treatment for Lake County residents experiencing alcohol or drug related problems for Fiscal Year 2004/2005, and authorized the Chair to sign.

Approved Contract between the County of Lake and Women's Recovery Services, for provision of residential treatment services for women experiencing alcohol or drug related problems for Lake County residents for Fiscal Year 2004/2005, and authorize the Chair to sign.

Approved Medi-Cal Targeted Case Management Provider Participation Agreement between the County of Lake and the California Department of Health Services, to assist eligible individuals in gaining access to needed medical, social, educational, and other drug services, and authorized the Chair to sign.

Approved Contract between the County of Lake, Division of Alcohol and Other Drug Services and Ford Street Project, for provision of residential treatment for Lake County residents for Fiscal Year 2004/2005, and authorized the Chair to sign.

Approved Contract between the County of Lake, Division of Alcohol and Other Drug Services and Lake County Library Literacy Program, to provide, match and supervise literacy tutors to APDS clients requesting such services, for Fiscal Year 2004/2005, and authorized County Librarian Kathleen Jansen and Health Services Director Ruth Lincoln to sign.

Adopted Proclamation designating the week of July 4th through 11th, 2004, as Lake County Rodeo Appreciation Week.

Approved Lease Agreement between County of Lake and Gary Sada and Sheila Sada, for offices at 926 South Forbes Street, Lakeport, CA, and authorized the Chair to sign.

Adopted Resolution No. 2004-97, appropriating unanticipated revenue in the amount of \$18,233, received from direct bill for services to self-funded agencies, for Novell Zenworks licensing and data center cable management upgrades, Budget Unit No. 1904 - Information Technology.

Adopted Resolution No. 2004-106, supporting renewal of the Sonoma/Mendocino/Lake Counties Recycling Market Development Zone.

Adopted Resolution No. 2004-107, authorizing application for Vertical Prosecution Funds.

Adopted Resolution No. 2004-108, authorizing application for Victim Witness Assistance Center Funds.

Adopted Resolution No. 2004-109, authorizing application for an Anti-Drug Abuse Enforcement Grant.

Approved Agreement between the County of Lake and Greg Bloom (dba Top Dog Hot Dogs), for operation of mobile concession at Lakeside County Park, and authorized the Chair to sign.

Waived the Consultant Selection Policy and formal bidding process pursuant to June 9, 2004, Memorandum from Public Works Director Gerry Shaul, and approved Agreement between the County of Lake and L. T. Mlcoch, Inc., for engineering services for Perini Road Bridge at Seigler Creek, Bridge No. 14c-92, and authorized the Chair to sign.

Approved Avigation Easement Deed and directed Clerk to certify for recordation (APN 008-031-55 - Robert T. Stark and Terrie A. Stark) and approved Right-of-way Agreement between the County of Lake and Robert T. Stark and Terrie A. Stark; for Lampson Field, and authorized the Chair to sign.

Approved Budget Transfer B-440, in the amount of \$10,000, to cover expected year-end budgetary overdraft resulting from under-realized intrafund transfers, from Budget Unit No. 7999 - Contingencies to Budget Unit No. 1124 - Purchasing, and authorized the Chair to sign.
2. **ITEM A-2 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

**EXTRA #1 - CONSIDERATION OF REGULATORY AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS BETWEEN THE COUNTY OF LAKE AND ESKATON PROPERTIES, INC., FOR HOME PROGRAM INCOME LOAN FOR CLEARLAKE OAKS SENIORS HOUSING PROJECT** - On motion of Supervisor Lewis 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.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 22, 2004

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

The developing firm, Eskaton Properties, Inc., needs to submit a grant application by July 7, 2004, for funding of a Clearlake Oaks Seniors Housing Project. Eskaton Properties, Inc., needs to close escrow prior to submitting the application. Therefore, they need the loan documents approved on the June 22, 2004, Board meeting to provide sufficient time for the title company to complete the escrow transaction. This came to staff's attention on June 17, 2004.

Deputy Redevelopment Director Andy Peterson was present.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the Home Loan Agreement between the County of Lake and Eskaton Properties, Inc., in the amount of \$245,000, for the purchase of property for the development of senior housing, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved Regulatory Agreement and Declaration of Restrictive Covenants, between the County of Lake and Eskaton Properties, Inc., regarding conditions that the borrower develop the development in accordance with restrictions concerning affordability, operation, and maintenance of the development, and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the Deed of Trust and Security Agreement, between the County of Lake and Eskaton Properties, Inc., and authorized the Chair to sign.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the Promissory Note (County HOME Loan), between the County of Lake and Eskaton Properties, Inc., for repayment of the loan in the amount of \$245,000, and authorized the Chair to sign.

Supervisor Lewis offered Resolution No. 2004-99 (Resolution appropriating unanticipated revenue in the amount of \$217,000, Budget Unit No. 5165 - Housing Services for a Home Program Income loan for a Clearlake Oaks Seniors Housing Project), and it was passed by a roll-call vote (5 ayes).

**EXTRA #2 - PROPOSED AMENDMENTS TO CURRENT MEMORANDUMS OF UNDERSTANDING WITH RECOGNIZED COUNTY AND MANAGEMENT EMPLOYEES REGARDING TEMPORARY INCREASE IN COUNTY'S CONTRIBUTION FOR HEALTH INSURANCE** - On motion of Supervisor Robey 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:

County Counsel staff received the signed amendments to the current Memorandums of Understanding to continue, for three months, the County's current temporary increased contribution for employee health insurance and this occurred subsequent to the posting of the current agenda. More importantly, there is an immediate need to take action on this last Board meeting day of June, prior to its next meeting of July 6, 2004, so that the County's temporary increased contribution will be maintained for the upcoming payroll. waiting to take action at the next Board meeting would result in an increase in the employee cost for health insurance.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the following six amendments to the current Memorandums of Understanding: (1) Amendment Number One to the 2003-2004 Memorandum of Understanding by and between the County of Lake and the Lake County Employees' Association, Unit 3; (2) Amendment Number One to the 2003-2004 Memorandum of Understanding by and between the County of Lake and the Lake County Employees' Association, Unit 4; (3) Amendment Number One to the 2003-2004 Memorandum of Understanding by and between the County of Lake and the Lake County Employees' Association, Unit 5; (4) Amendment Number Four to the 2002-2004 Memorandum of Understanding by and between the County of Lake and the Lake County Sheriff's Deputies Association Unit Number 6; (5) Amendment Number One to the 2003-2004 Memorandum of Understanding by and between the County of Lake and the Lake County Deputy District Attorney's Association Unit Number 8; and (6) Amendment Number Five to the 2001-2004 Memorandum of Understanding by and between the County of Lake and the Lake County Sheriff's Deputies Association Unit Number 16, and authorized the Chair to sign all six Memorandums of Understanding.

Supervisor Robey offered Resolution No. 2004-100 (Resolution approving Amendment Number Two to Resolution No. 2003-192, establishing salaries and fringe benefits for Management employees for Fiscal Year 2003-2004), and it was passed by a roll-call vote (5 ayes).

Supervisor Robey offered Resolution No. 2004-101 (Resolution approving Amendment Number One to Resolution No. 2003-194, establishing salaries and fringe benefits for employees assigned to the Confidential Unit, Section A, for Fiscal Year 2003-2004), and it was passed by a roll-call vote (5 ayes).

Supervisor Robey offered Resolution No. 2004-102 (Resolution approving Amendment Number One to Resolution No. 2003-194, establishing salaries and fringe benefits for employees assigned to the Confidential Unit, Section B, for Fiscal Year 2003-2004), and it was passed by a roll-call vote (5 ayes),

3. **CITIZEN'S INPUT** - Mr. John Roddy stated that he asked random citizens of Lake County if they were for or against having big box stores located in Lake County, and he said that most were in favor of big box stores in Lake County.

Assessor-Recorder Doug Wacker announced that the 2004-2005 Tax Roll has been completed and delivered to the Lake County Auditor-Controller pursuant to State law.

4. **ITEM A-4 - 9:06 A.M. - PUBLIC HEARING - PLANNING COMMISSIONS' RECOMMENDATION FOR APPROVAL OF A REZONE (RZ 04-07) PROPOSED FOR LAVE AND NANCY MAZZIER, OF A PORTION OF A PARCEL FROM "RR-SC" (RURAL RESIDENTIAL-SCENIC) TO "RR-WC-W" (RURAL RESIDENTIAL-SCENIC WETLANDS); AND ADOPTION OF A NEGATIVE DECLARATION BASED ON INITIAL STUDY 03-20; LOCATED AT 18676 GRANGE ROAD, MIDDLETOWN, CA (APN 014-270-47)** - Principal Planner Rick Coel and Assistant Planner Erik Lundquist were present.

Mr. Lundquist gave a brief background report. The applicant has requested to rezone a portion of a parcel currently zoned Rural Residential-Scenic to Rural Residential-Scenic-Wetlands. This is required to fulfill a condition of a previously approved parcel map.

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

On motion of Supervisor Robey and by vote of the Board (5 ayes), found that the Mitigated Negative Declaration which was previously prepared for PM 03-04, based on Initial Study IS 03-20 as applied for by Lave and Nancy Mazzier does meet the requirements of Section 15162(a) of the CEQA Guidelines, and that no additional environmental review needs to be prepared with the finding listed in the staff report dated June 22, 2004.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 22, 2004

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).

Supervisor Robey offered Ordinance No. 2689, and it was passed by a roll-call vote (5 ayes).

5. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - PLANNING COMMISSIONS' RECOMMENDATION ON A GENERAL PLAN AMENDMENT PROPOSAL (GPAP 03-05) AND A REZONE (RZ 03-10), FOR DAVID J. MORIN; PROPOSING A GENERAL PLAN AMENDMENT FROM RURAL LANDS TO RURAL RESIDENTIAL AND A REZONE FROM "RL" (RURAL LANDS) AND "RR" (RURAL RESIDENTIAL) TO "RR-BF" (RURAL RESIDENTIAL-B FROZEN COMBINING DISTRICT) "RR-B3" (3.14 ACRE RURAL RESIDENTIAL-B COMBINING DISTRICT AND "RR-B3" (4.15 ACRE - RURAL RESIDENTIAL-B COMBINING DISTRICT); AND ADOPTION OF A NEGATIVE DECLARATION FOR SAID GPAP AND REZONE, BASED ON INITIAL STUDY 03-38; LOCATED AT 7912 HARRINGTON FLAT ROAD, KELSEYVILLE, CA (APN 011-101-99) - Principal Planner Rick Coel was present and gave a brief background report. The applicant is requesting approval of a general plan amendment from Rural Lands to Rural Residential for a portion of the property, and a rezone to the "B3" minimum lot size and "BF", Frozen Combining Districts to fulfill a requirement of an approved tentative parcel map.**

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

Chair Brown passed the gavel to Vice-Chair Robey.

On motion of Supervisor Brown and by vote of the Board (5 ayes), found that the Negative Declaration which was previously prepared for PM 03-11 does meet the requirements of Section 15162(a) of the CEQA Guidelines, and that no additional environmental review needs to be prepared for this general plan amendment and rezoning with the findings listed in the Board Memorandum dated June 11, 2004.

On motion of Supervisor Brown and by vote of the Board (5 ayes), made an intended decision to approve the general plan amendment for David Morin, and defer offering the resolution until after hearing the 9:30 a.m. general plan amendment proposal of the Lake County Redevelopment Agency.

On motion of Supervisor Brown 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 Brown offered Ordinance No. 2690, and it was passed by a roll-call vote (5 ayes).

Vice-Chair Robey passed the gavel back to Chair Brown.

6. **ITEM A-17 - CONSIDERATION OF RECOMMENDATION TO ISSUE A THIRTY (30) DAY NOTICE OF TERMINATION OF RENTAL AGREEMENT BETWEEN THE COUNTY OF LAKE AND PERSONAL SUPPORT GROUP (PSG), INC., AND DIRECT TENANTS TO VACATE THE PROPERTY (COVE RESORT PROPERTY, NORTH LAKEPORT) - On motion of Supervisor Lewis and by vote of the Board (5 ayes), directed staff to issue a thirty (30) day notice of termination of the rental agreement between the County of Lake and Personal Support Group (PSG), Inc., and directed tenants to vacate the property (Cove Resort property, north Lakeport), and authorized the Chair to sign.**

7. **ITEM A-6 - 9:30 A.M. - PUBLIC HEARING - PLANNING COMMISSION'S RECOMMENDATION ON A GENERAL PLAN AMENDMENT PROPOSAL (GPAP 02-06) FOR LAKE COUNTY REDEVELOPMENT AGENCY, PROPOSING A GENERAL PLAN AMENDMENT FROM SUBURBAN RESIDENTIAL TO SERVICE COMMERCIAL AND A REZONE FROM "R1" (SINGLE FAMILY RESIDENTIAL) TO "C3-DR" (SERVICE COMMERCIAL-DESIGN REVIEW); AND ADOPTION OF A NEGATIVE DECLARATION FOR SAID GPAP, AND REZONE BASED ON INITIAL STUDY 03-90; LOCATED NORTH OF GARDEN DRIVE, UP TO AND INCLUDING BOTH SIDES OF HARDING DRIVE, AND EAST OF PYLE ROAD, OVER TO AND INCLUDING BOTH SIDES OF POLK STREET, NICE, CA; THIS PROJECT AREA INCLUDES ALL OR PORTION OF THE FOLLOWING ASSESSORS PARCEL BOOK PAGES, ALL WITHIN BOOK 30: PAGES 061, 062, 063, 081, 082, 083, 101, 102, 103 and 104 - Principal Planner Rick Coel and Deputy Redevelopment Director Andy Peterson was present.**

Mr. Coel gave a brief background report. The Redevelopment Agency is requesting approval of a general plan amendment and rezoning of approximately 200 paper subdivision lots in the vicinity of Pyle Road, Nice, from residential to commercial.

Mr. Peterson gave a power-point presentation showing the location of the lots.

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

On motion of Supervisor Lewis and by vote of the Board (5 ayes), found on the basis of Initial Study No. 03-90, that the general plan amendment from Rural Residential and Suburban Residential to Service Commercial as applied for by the Lake County Redevelopment Agency will not have a significant effect on the environment and therefore adopt a negative declaration for the proposed general plan amendment with the findings listed in the Board Memorandum dated June 11, 2004.

Supervisor Lewis offered Resolution No. 2004-98 (Resolution adopting an amendment to the Lake County General Plan (GPA 04-01, David Morin-GPAP 03-05 and Lake County Redevelopment Agency-GPAP 03-10), and it was passed by a roll-call vote (5 ayes).

On motion of Supervisor Lewis 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 Lewis offered Ordinance No. 2691, and it was passed by a roll-call vote (5 ayes).

8. **ITEM A-7 - 9:45 A.M. - PUBLIC HEARING - CONSIDERATION OF A DECISION TO USE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME FOR A PROJECT TO CONSTRUCT CURB, GUTTER, AND SIDEWALK AT THE INTERSECTION OF HIGHWAY 20 AND 13<sup>TH</sup> AVENUE, LUCERNE, CA - Deputy Redevelopment Director Andy Peterson was present and gave a brief overview of the project. Staff is proposing a project to construct a sidewalk in Lucerne along the northeast side of Highway 20 at the intersection of Highway 20 and 13<sup>th</sup> Avenue, using Community Development Block Grant (CDBG) Program Income funds in the amount of \$350,000. This intersection provides a key element of the nexus between the promenade along Highway 20 and the planned town center on 13<sup>th</sup> Avenue.**

Chair Brown opened the public hearing and the following persons spoke: Mr. John Roddy, Mr. Jeff Leard, Mr. Ralph Coals and Ms. Makie Leard. 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 JUNE 22, 2004

The following amendment was made to the resolution: Changed the amount of funding for this project from \$350,000 to \$375,000.

Supervisor Lewis offered Resolution No. 2004-103, as amended, and it was passed by a roll-call vote (5 ayes).

After a short recess, the Board reconvened at 10:24 a.m.

9. **ITEM A-8 - 10:00 A.M. - PRESENTATION BY PROGRAM ADMINISTRATOR JANINE SMITH REGARDING THE TOBACCO CONTROL PROGRAM FUNDED BY PROPOSITION 99** - Suffer Lakeside Program Administrator Janine Smith was present and gave an overview of accomplishments resulting from the efforts made during the past three years that have positively impacted the health and safety of Lake County residents relative to tobacco control issues.

Ms. Smith read a proclamation into the record commending Breanna Cook for organizing smoke-free or designated smoking zones at outdoor public events. The proclamation was presented to Breanna Cook.

10. **ITEM A-9 - 10:15 A.M. - DISCUSSION/CONSIDERATION OF REQUEST TO INCREASE POSITION ALLOCATION FOR SWORN SERGEANTS (ADDING THREE POSITIONS) IN ORDER TO PROVIDE SUPERVISION IN THE JAIL FOR AN INTERIM PERIOD, DURING EXTENDED ABSENCE OF REGULAR JAIL PERSONNEL** - Sheriff Rodney Mitchell was present.

Supervisor Lewis offered Resolution No. 2004-104 (Resolution amending Resolution No. 2004-87, establishing position allocation for Fiscal Year 2004-2005, Budget Unit No. 2201-Sheriff-Coroner, adding three Sergeant positions), and it was passed by a roll-call vote (5 ayes).

11. **ITEM A-10 - 10:30 A.M. - PRESENTATION BY GERALD AND BARBARA MARCINIK REGARDING THEIR CONCERNS PERTAINING TO THE CONSTRUCTION OF A CARPORT ON ST. FRANCIS DRIVE IN LAKEPORT** - Community Development Director Mary Jane Fagalde was present.

Gerald and Barbara Marcinik each gave an overview of their concerns pertaining to the carport. The previous patio awning constructed of aluminum covering an area of approximately 450 sq. ft. was removed without a permit in November, 2002. A new boat/carport was constructed, which included an additional 286 sq. ft., and is approximately 18 inches over the property line. The new carport blocks the view of the lake from inside of the Marcinik's home, which could effect the resale value. In addition, the existing eaves are within 2.5 feet of the Marcinik's eaves, and 5 feet from the outside wall of their home.

Chair Brown asked if anyone present wished to speak on this item and the following persons spoke: Dr. William Combs and Ms. Patricia Combs. No one else was present wishing to speak and the public portion of this item was closed.

After the presentation by the Marcinik's, staff agreed that the existing structure is larger than the structure that was removed. Staff will meet with the Combs and explain to them what requirements will be necessary, including but not limited to the removal of excess footage, to bring the existing structure into compliance.

12. **ITEM A-12 - 11:15 A.M. - DISCUSSION/CONSIDERATION OF REQUEST FOR THE BOARD OF SUPERVISORS TO DELEGATE AUTHORITY TO NORTH COAST EMERGENCY MEDICAL SERVICES TO PROVIDE AN IMPACT EVALUATION OF REDUCTION OR CLOSURE OF HOSPITAL EMERGENCY SERVICES** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the request to delegate authority to North Coast Emergency Medical Services to provide an impact evaluation of reduction or closure of hospital emergency services.

13. **ITEM A-19 - CONSIDERATION OF LEASE AGREEMENT BETWEEN THE COUNTY OF LAKE AND JOHN R. COSCARAT, FOR LEASE OF BUILDING LOCATED AT 15145 LAKESHORE DRIVE, CLEARLAKE, FOR MENTAL HEALTH DEPARTMENT** - Health Services Director Ruth Lincoln and Health Services Fiscal Officer John Moore were present.

The Board and Administrative Officer Kelly Cox expressed concerns about the high base rent of \$8,200 per month and also the proposed agreement includes provisions that the County will be responsible for the payment of the property taxes, insurance and maintenance. Mr. Cox was also concerned about the lease not having an escape clause in the event the State withdraws funding.

The Board directed Mr. Cox to re-negotiate the proposed lease on behalf of the department, and also look at other properties in Clearlake that may be available at a lower month rental cost, that could accommodate the Mental Health Department, and recommendations will be brought back to the Board at a later date for further consideration.

14. **ITEM A-11 - 11:00 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF JULY 4th THROUGH 11th, 2004, AS LAKE COUNTY RODEO APPRECIATION WEEK** - Chair Brown read the proclamation into the record. The proclamation was presented to Melissa Fulton.

Supervisor Lewis was absent at 11:54 a.m.

15. **ITEM A-18 - PROPOSED FINDINGS OF FACT IN THE APPEAL OF BARRY SMITH, REPRESENTATIVE FOR THE CASSIL FAMILY, JENSEN FAMILY, SMITH FAMILY, VAN HORN FAMILY, DECKER FAMILY, CARRICK FAMILY, MILLER FAMILY AND HELENIUS FAMILY - (AA 04-02)** - On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), approved the Findings of Fact and authorized the Chair to sign.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Lewis ABSENT), denied the appeal in this matter.

The Board adjourned for lunch at 11:56 a.m. and reconvened at 1:31 p.m. with Supervisor Lewis present.

16. **ITEM A-13 - 1:30 P.M. - (a) CONSIDERATION OF REQUEST TO PURSUE A BALLOT MEASURE TO INCREASE THE TOT BY 1% ON THE NOVEMBER 2004 BALLOT, TO PROVIDE AN ONGOING SOURCE OF LONG TERM FUNDING FOR THE CLEAR LAKE AQUATIC WEED ERADICATION PROGRAM; and (b) DISCUSSION/CONSIDERATION TO EARMARK 1%-2% OF THE EXISTING 9% TOT RATE TO FUND THE CLEAR LAKE AQUATIC WEED ERADICATION PROGRAM AND OTHER RELATED PROGRAMS** - Deputy Public Works Director Bob Lossius was present.

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

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JUNE 22, 2004

Supervisor Farrington offered Resolution No. 2004-105 (Resolution amending Resolution No. 95-189 to revise policy on allocation of Transient Occupancy Tax (TOT) revenues), and it was passed by a roll-call vote (5 ayes).

17. **ITEM A-15 - DISCUSSION OF THE PUBLIC WORKS DEPARTMENT'S IMPLEMENTATION OF CERTAIN REGIONAL WATER QUALITY CONTROL BOARD REGULATIONS AND BOARD OF SUPERVISORS DIRECTION RELATED THERETO** - Public Works Director Gerry Shaul was present and gave a brief overview of the Regional Water Quality Control Board regulations regarding concrete waste management. Concrete washout wastewater is caustic and considered to be corrosive and cannot be dumped, drained, or washed into a storm water drainage system. The regulations require that concrete waste be washed out into a temporary pit where the concrete can set, be broken up, and then disposed properly. Mr. Shaul informed the Board that the lack of enforcement by the County regarding cement waste and all other regulations, will only ensure that the Regional Waste Quality Control Board will place more stringent regulations, reporting requirements and possible fines on the County.

There was no action taken on this item.

After a short recess, the Board reconvened at 3:25 p.m.

18. **ITEM A-16 - PROPOSED BUDGET TRANSFER TO COVER EXPECTED YEAR-END BUDGETARY OVERDRAFT RESULTING FROM UNDER-REALIZED INTRAFUND TRANSFERS, FROM BUDGET UNIT NO. 7999 - CONTINGENCIES TO BUDGET UNIT NO. 2110 - DISTRICT ATTORNEY** - District Attorney Gary Luck was present.


On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved Budget Transfer No. B-514, in the amount of \$125,000, to cover expected year-end budgetary overdraft resulting from under-realized intrafund transfers, from Budget Unit No. 7999 - Contingencies to Budget Unit No. 2110 - District Attorney, and authorized the Chair to sign.

19. **ITEM A-20 - CLOSED SESSION - Sitting as the Board of Directors of the Lake County IHSS Public Authority: 1. Conference with Labor Negotiator, Agency Negotiator: Fran Buchanan - IEDA, 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 reason stated on the agenda. The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County IHSS Public Authority.

The Board of Directors of the Lake County IHSS Public Authority reconvened into Regular Session with no action taken.

The Board of Directors of the Lake County IHSS Public Authority adjourned and reconvened as the Board of Supervisors

There being no further business, the Board adjourned at 4:00 p.m.

  
Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board



By:   
Georgine Hunt  
Assistant Clerk of the Board



*[Handwritten signature]*  
2011.10.25

*[Handwritten signature]*

... ..

... ..

... ..

... ..

... ..

... ..

... ..

... ..

... ..

... ..