

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MARCH 16, 2004

The Honorable Board of Supervisors of Lake County, California, met in regular session this 16th day of March, 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. Ms. Marie Ady 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-10.

Approved Minutes of the Board of Supervisors meeting held on March 2, 2004.

Adopt Proclamation Designating March 20, 2004, as National Agriculture Day and March 14 Through 20, 2004, as National Agriculture Week in Lake County.

Appointed Ellie Harr, Deborah Keith and Cherrie Cloos to the Maternal Child and Adolescent Health Advisory Board, for terms expiring on January 1, 2005.

Approved Budget Transfer B-204, in the amount of \$372, to cover cost of unanticipated supplemental premium for unemployment insurance, from Budget Unit No. 7999 - Contingencies to Budget Unit No. 1012 - Administrative Office, and authorized the Chair to sign.

Adopted Resolution No. 2004-43, supporting the Local Taxpayers and Public Safety Protection Act.

Approved Agreement between the County of Lake and SHN Consulting Engineers and Geologists, Inc., for engineering services for sidewalk replacement between 4th and 5th Avenues in Lucerne, and authorized the Chair to sign.

Adopted Resolution No. 2004-44, approving the application for funding for the Soda Bay Road and South Main Street bikeways under the Federal Transportation Enhancement Activities Program.

Accepted dedication and conveyance of mainline water extension, for public utility purposes, Isle View Subdivision/Grand View Estates, L.L.C., Lakeport, and directed Clerk to certify for recordation.

Sitting as the Board of Directors of Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, for public utility purposes, Creekside Pines Project, Middletown, and directed Clerk to certify for recordation.

Sitting as the Board of Directors of Lake County Sanitation District, adopted Resolution No. 2004-45, authorizing the Special District Administrator to sign a Notice of Completion for work performed under Agreement dated July 8, 2003 (Highlands Harbor Sewer Line Replacement).

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

EXTRA #1 - CONSIDERATION OF REQUEST FOR NECESSITY OF A CLOSED SESSION ITEM NOT ON THE POSTED AGENDA - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO SUBDIVISION (b) OF SECTION 54956.9 - ONE POTENTIAL CASE - 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:

A matter has arisen since the posting of the current agenda concerning a potential matter which requires Board consideration in Closed Session.

This item will be taken up during Closed Session.

3. **ITEM A-4 - 9:06 A.M. - (a) PRESENTATION OF PROCLAMATION DESIGNATING MARCH 20, 2004, AS NATIONAL AGRICULTURE DAY AND MARCH 14 THROUGH 20, 2004, AS NATIONAL AGRICULTURE WEEK IN LAKE COUNTY; and (b) REPORT ON 2004 SOLUTIONS FOR TODAY'S FARMERS CONFERENCE THAT WAS HELD AT THE GARD STREET ELEMENTARY SCHOOL, KELSEYVILLE, ON JANUARY 10-11, 2004** - Chair Brown read the proclamation into the record. The proclamation was presented to representatives from the Future Farmers of America (FAA), Farm Bureau, California for Women Agricultural, 4-H, Lake County Pear Advisory Board and U.C. Cooperative Extension.

Chief Deputy Administrative Officer Matt Perry and Executive Director of BORT Chuck Doty were present and each gave a brief overview of the conference.

The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Redevelopment Agency.

4. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - INTENTION TO ACQUIRE (PURCHASE) REAL PROPERTY CONSISTING OF LAND LOCATED AT 3478 BOGGS AVENUE, NICE, CA (MICHAEL H. YOUNG AND KATHLEEN T. KIRKE-YOUNG - APN 032-111-33), TO BE USED IN THE DEVELOPMENT OF HINMAN SQUARE** - Deputy Redevelopment Director Andy Peterson was present.

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

Director Lewis offered Resolution No. 2004-01, and it was passed by a roll-call vote (4 ayes, Director Brown NO).

The Board of Directors of Lake County Redevelopment Agency adjourned and reconvened as the Board of Supervisors.

5. **ITEM A-6 - 9:20 A.M. - CONSIDERATION OF CORRESPONDENCE FROM LAKE COUNTY LAND TRUST REGARDING POSSIBLE COUNTY PURCHASE OF A PORTION OF BLACK FOREST PROPERTY** - Public Services Director Kim Clymire was present.

Chair Brown asked if anyone present wished to speak on this item and the following persons spoke: Mr. Bob Zalusky and Ms. Susanne Scholz. No one else was present wishing to speak and the public portion of this item was closed.

The gavel was passed to Vice-Chair Robey.

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On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the intent to purchase the property from the Lake County Land Trust, authorized the expenditure of funds in the amount of \$50,000 that is currently allocated in the Parks budget for this purpose and an expenditure of an additional \$50,000 of the \$600,000 in State grant funds that is allocated in the Parks budget for park property acquisition in the unincorporated area of the County, and directed staff to take the necessary procedures for the purchase of the property.

This item will be brought back to the Board on April 13, 2004, for further consideration.

The gavel was passed back to Chair Brown.

6. **ITEM A-7 - 9:30 A.M. - PUBLIC HEARING - PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A TWO-YEAR EXTENSION OF TIME FOR THE APPROVED TENTATIVE SUBDIVISION MAP FOR THIRTY-SIX (36) RESIDENTIAL LOTS; FOR ROBERT SCHALL (OAK PARK DEVELOPMENT COMPANY); LOCATED ALONG PARKWAY, HILL ROAD EAST AND EVA WAY, LAKEPORT, CA (APN'S 005-017-43, 44, 49, 53 AND 60) - Community Development Director Mary Jane Fagalde and Principal Planner Rick Coel were present.**

Mr. Coel gave a brief background report. The applicant is requesting a two (2) year extension of time in order to complete the necessary improvement requirements of their tentative subdivision map (SD 01-01) and file the final map. There has not been any development on this property that is inconsistent with the approved tentative map. The tentative map was approved in September of 2001, to allow a subdivision of approximately 36 acres to be divided into 36 parcels. (This approval was a re-issuance of a prior tentative map that had inadvertently expired). The applicant has completed a number of the conditions of the tentative map, including submittal of a tree retention plan, engineered drainage plans and engineered plans for on-site and road frontage improvements. Construction has been started on the roads.

Chair Brown opened the public hearing and the following persons spoke: Ms. Pat Nelson and Mr. Robert Schall. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved an extension of time for SD 01-01 for a period of two years to September 13, 2005, with the findings listed in the Board Memorandum dated February 24, 2004.

7. **ITEM A-8 - 9:45 P.M. - HEARING - EMPLOYEE APPEAL OF DISCIPLINARY ACTION - (CLOSED SESSION) -** Chair Brown announced that the Board of Supervisors will now go into Closed Session for a hearing of the employee appeal of disciplinary action.

This item was continued to April 6, 2004, at 2:00 p.m.

8. **ITEM A-10 - CLOSED SESSION - 1. Conference With Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9), Name of Case: California Farm Bureau Federation et al. v. California Department of Forestry and Fire Protection, et al.; and**

2. SITTING AS THE BOARD OF DIRECTORS, LAKE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY; Conference with Labor Negotiator, (a) Agency Negotiator: Robert Muszar/Fran Buchanan, (b) Employee Organization: United Domestic Workers of America

Chair Brown announced that the Board will now go into Closed Session for the reasons stated on the agenda, and Extra #1 will also be taken up at this time.

When taking up the matter of negotiations with for United Domestic Workers of America negotiator, the Board of Supervisors adjourned and convened as the Board of Directors of Lake County In-Home Supportive Services Public Authority, and the gavel was passed to Lake County In-Home Supportive Services Public Authority Chair Robey.

The gavel was passed back to Chair Brown and the Board of Supervisors reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 12:53 p.m.


Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: 
Georgine Hunt
Assistant Clerk of the Board

