



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 12, 2005

The Honorable Board of Supervisors of Lake County, California, met in regular session this 12th day of April, 2005, there being present Supervisors Jeff Smith, Gary Lewis, Anthony Farrington and Ed Robey, Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt. Supervisor Brown was absent all day.

The meeting was called to order at 9:01 a.m. by Chair Robey. Following a moment of silence, Sergeant Dave Garzoli led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved Consent Agenda Items C-1 through C-7.

Adopted proclamation designating the week of April 10th through April 16th, 2005, as National Victims' Rights Week in Lake County.

Adopted proclamation designating the week of April 17th through April 25th, 2005, as Earth Day Celebration Week 2005 for Recycling Education and Awareness.

Appointed District 5 Supervisor Rob Brown; District 2 Supervisor Jeff Smith; Clara Wilson, representative for Robinson Rancheria; Judy Cleveland, representative for Big Valley Rancheria; Lakeport City Council members Buzz Bruns, Ted Mandrones, and Bob Rumpfelt, to the Indian Gaming Local Benefit Committee, for terms expiring on April 12, 2005.

Waived the 900 hour limit for extra-help Mental Health Worker Susan Garner.

(a) Approved Agreement between the County of Lake and Mark Mitchell (dba Origin Construction, Inc.), under the provisions of Section 17-14.1(b) of the Lake County Code (Improvement Agreement for Penelope Court Subdivision), and authorized the Chair to sign; and (b) adopted Resolution No. 2005-57, approving Final Subdivision Map for Penelope Court Subdivision.

Adopted Resolution No. 2005-56, of intention to vacate a portion of a drainage easement within Unit No. 4 of the Hidden Valley Lake Subdivision, and set public hearing on May 10, 2005, at 9:06 a.m.

(a) Authorized Auditor-Controller to reissue check for \$1,087.94 to Robert Gardner that was issued on February 23, 2001, never cashed; and (b) authorized Auditor-Controller to reissue checks for \$8.34 and \$52.64 to Linda L. Kilano that were issued on November 8, 2002.

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

EXTRA #1 - PROPOSED RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, AND AUTHORIZING SHERIFF RODNEY MITCHELL, SHERIFF/CORONER ADMINISTRATIVE MANAGER MARY BETH STRONG AND ADMINISTRATIVE OFFICER KELLY COX TO EXECUTE ACTIONS NECESSARY FOR THE PURPOSE OF OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED BY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY, FOR THE PURCHASE OF SPECIALIZED EQUIPMENT - On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

This item was taken up as an extra for the following reasons:

The grant application has a deadline of April 12, 2005, and the on-line grant forms were not available until April 5, 2005, at which time the state made them available.

Supervisor Smith offered Resolution No. 2005-55, and it was passed by a roll-call vote (4 ayes, Supervisor Brown ABSENT).

3. **CITIZEN'S INPUT** - Ms. Sophie Witsenburg, representing Unite Here, stated that there is a possibility that a large hospitality business in Lake County may be sold in the near future, and if it is sold, there is no guarantee that the current employees would retain their jobs, and asked the Board to consider adopting a Workers Retention Ordinance, that would provide opportunities for rehire upon sale of hospitality business.

4. **ITEM A-4 - 9:06 A.M. - PUBLIC HEARING - PROTEST HEARING FOR PROPOSED ORDINANCE INCREASING WATER CHARGES AND FEES FOR CSA #2 - SPRING VALLEY LAKES** - Special Districts Administrator Mark Dellinger and Administrative Manager Suzanne Schneider were present.

Chair Robey opened the public hearing and the following persons spoke: Mr. Don Scott, Ms. Kathy Jones, Mr. David Jones and Mr. Luther Winters. No one else was present wishing to speak and the public hearing was closed.

Ms. Schneider stated that there are 408 connections in Spring Valley Lake and a majority protest exists if 51% of the property owners submit valid written protests. A majority protest will result in the charges and fees increase not being implemented and the improvement project will not proceed.

Assistant Clerk of the Board stated that 102 valid written protest had been received, which does not exceed the 51% that is required for a majority protest.

Supervisor Smith stated that he has concerns with the Section titled Capital Improvement Fee, Subsection A, Item #2, in the proposed ordinance, and asked the Board to consider deleting it from the ordinance.

There was consensus by the Board to remove Item #2 from the proposed ordinance.

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The following was deleted from the ordinance:

(2) Residential addition construction of conditioned living space - \$3.00 per square foot

Chair Robey reopened the public hearing and the following persons spoke: Mr. Luther Winters and Mr. Don Scott. The public hearing was continued May 10, 2005, at 1:30 p.m., for further consideration.

- 5. **ITEM A-6 - 11:00 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF APRIL 10TH THROUGH APRIL 16TH, 2005, AS NATIONAL VICTIMS' RIGHTS WEEK IN LAKE COUNTY** - Supervisor Lewis read the proclamation into the record. The Proclamation was presented to numerous employees of Victim/Witness.

Victim Witness Administrator Samuel Laird presented a plaque to Deputy Sheriff Barry Clark, commending him for doing an outstanding job and providing an extraordinary service to the citizens of Lake County.

- 6. **ITEM A-7 - 11:05 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF APRIL 17TH THROUGH APRIL 25TH, 2005, AS EARTH DAY CELEBRATION WEEK 2005 FOR RECYCLING EDUCATION AND AWARENESS** - Supervisor Farrington read the proclamation into the record. The proclamation was presented to Public Services Analyst Jacqueline Armstrong.

- 7. **ITEM A-5 - 10:30 A.M. - PRESENTATION BY HABITAT FOR HUMANITY PRESIDENT RICHARD BIRK REGARDING THE PAST, PRESENT AND FUTURE OF THE ORGANIZATION IN LAKE COUNTY** - Mr. Richard Birk was present and gave an overview of the Habitat for Humanity Organization in Lake County, which included the Mission Statement, plans for 2005, and future goals. During the past two years, Habitat for Humanity has built two homes in Clearlake, which have generated an average of \$1,800 in property taxes per home. There are currently two more homes being built in Clearlake. These homes are built with donations from businesses and volunteers.

There was no action taken on this item.

- 8. **ITEM A-8 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved travel for Supervisors Farrington and Robey to Sacramento, on April 18, 2005, to attend the Assembly Committee on Natural Resources meeting, for the discussion of the County's proposed amendments to Assembly Bill 1328 (designating Cache Creek as Wild and Scenic).

- 9. **ITEM A-9 - DISCUSSION/CONSIDERATION OF RECOMMENDATION FROM LAFCO REGARDING DEVELOPMENT OF MASTER TAX EXCHANGE AGREEMENTS** - It was the Board's consensus that if the County Administrative Officer determines it would be of benefit to have a Master Tax Exchange Agreement with local special districts on this matter, it will be brought back to the Board at a later date after all districts have been consulted regarding this proposal.

This item will be brought back after final budgets for further consideration.

- 10. **ITEM A-10 - PROPOSED ORDINANCE AMENDING CHAPTER 17 OF THE LAKE COUNTY CODE, REGARDING ROAD DESIGN AND CONSTRUCTION STANDARDS FOR SUBDIVISIONS** - Supervisor Farrington stated that he will abstain from voting on this item due to a potential conflict of interest in the near future.

On motion of Supervisor Lewis and by vote of the Board (3 ayes, Supervisor Farrington ABSTAIN, Supervisor Brown ABSENT), waived the reading of the ordinance and had it read in title only (Clerk so did).

On motion of Supervisor Lewis and by vote of the Board (3 ayes, Supervisor Farrington ABSTAIN, Supervisor Brown ABSENT), advanced the ordinance two weeks to April 26, 2005.

There being no further business, the Board adjourned at 11:59 a.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board