



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MARCH 8, 2005

The Honorable Board of Supervisors of Lake County, California, met in regular session this 8th day of March, 2005, there being present Supervisors Jeff Smith, Gary Lewis, Anthony Farrington, Rob Brown and Ed Robey, Administrative Officer Kelly Cox, County Counsel Cameron Reeves and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:04 a.m. by Chair Robey, following a moment of silence, Information Technology Deputy Director Jim Garrison 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 Item.

Approved Professional Services Agreement between the County of Lake and Bid4Assets, Inc., for web-site advertising services for the internet auction of tax-defaulted properties to be held on March 30 and 31, 2005, and authorized the Chair to sign.

2. **EXTRA #1 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

(a) CONSIDERATION OF REQUEST TO WAIVE THE NORMAL BIDDING PROCESS FOR AERIAL PHOTOGRAPHY OF THE ENTIRE COUNTY; and (b) PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND AIRPHOTOUSA FOLLOWING THE NEGOTIATION OF ACCEPTABLE TERMS IN JUDGEMENT OF COUNTY COUNSEL AND THE INFORMATION TECHNOLOGY DIRECTOR - 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.

Information Technology Deputy Director Jim Garrison was present.

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

The Community Development Department, Building and Safety Division, in cooperation with the Lake County GIS Committee and other interested entities, have budgeted and planned to acquire aerial photography of the entire County for use in the County's GIS Program. One of the requirements of this photography is that it be produced sometime between the late fall and early winter months, when the leaves are off the trees. Unfortunately, over the last two weeks, it has become apparent that Spring has come early to Lake County this year, and many species are already producing leaves. Though the forest canopy does not make the images useless, it does diminish their value in most applications. As such, in consideration of possible weather restrictions in the next few weeks, it is essential that this project proceed as soon as possible. Further delays may require that the project be delayed until late next fall.

On motion of Supervisor Lewis and by vote of the Board (5 ayes), approved the request to waive the normal bidding process for aerial photography of the entire County and approved the Agreement between the County of Lake and Airphotousa, for aerial photography of the entire County, authorized the Chair to sign following the negotiation of acceptable terms in the judgement of County Counsel and the Information Technology Director.

3. **CITIZEN'S INPUT** - Mr. Ray Oliva stated that water quality issues should be on the top of the Federal priorities list established by the Board. Also, Mr. Oliva thank the Board, Public Works Director Gerry Shaul, Special Projects Engineer Todd Mansell and Public Works Supervisor Rob Akins, for the work that has been done in Riviera West, which included the installation of No Parking signs, changing a one-way street to a two-way street with a double yellow line, painting the lines on four major streets and having the streets swept on a routine basis by the street sweeper, which had not been done in years. Ms. Jane Ceremony spoke on the need to have a well-run Spay and Neuter Program in Lake County.

Supervisor Lewis stated that during the Board of Supervisors meeting held on March 1, 2005, regarding the discussion to request LAFCO to issue Requests for Proposals (RFP), for LAFCO Executive Officer and legal counsel services, that he over-reacted to the proposal and wanted to make a public apology to Supervisor Farrington for his reactions on the issue.

The Board of Supervisors adjourned and convened as the County Board of Housing Commissioners, with Commissioner Monica Morin present.

4. **ITEM A-4 - 9:06 A.M. - (a) PUBLIC HEARING - CONSIDERATION OF REQUEST TO APPROVE THE LAKE COUNTY HOUSING AUTHORITY STREAMLINED ANNUAL PLAN FOR FISCAL YEAR 2006, FOR SECTION 8 HOUSING (b) DISCUSSION/CONSIDERATION OF REQUEST FOR APPROVAL OF AMENDMENTS TO THE SECTION 8 HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN** - Social Services Director Carol Huchingson and Section 8 Program Manager Steve Citron were present

Mr. Citron gave an overview of the Streamlined Annual Plan. Also, Mr. Citron stated that after the public hearing has been closed, the normal process regarding approval of the plan, is that the Board take no action on the plan today, and that the plan be place on the agenda at a later date, in order to allow time for receiving public comment and input only. If the input is appropriate, it will be incorporated in the final plan.

Ms. Huchingson read a letter dated March 5, 2005, from Ms. Susan Martin into the record.

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

The Lake County Housing Authority Streamlined Annual Plan for Fiscal Year 2006, will be placed on the April 5, 2005, agenda, for consideration of approval.

Mr. Citron gave an overview of the proposed amendments to the Section 8 Housing Choice Voucher Administrative Plan.

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On motion of Commission Farrington and by vote of the Board (6 ayes), approved the amendments to the Section 8 Housing Choice Voucher Administrative Plan.

The County Board of Housing Commissioners adjourned and reconvened as the Board of Supervisors.

5. **ITEM A-5 - 9:45 A.M.- PUBLIC HEARING - PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A REZONE (RZ 04-13) PROPOSED FOR DANIEL DEBONIS, OF A LAKEFRONT PARCEL FROM "CH" (COMMERCIAL HIGHWAY) TO "R2-FF" (TWO-FAMILY RESIDENTIAL-FLOODWAY FRINGE); AND THE ADOPTION OF A NEGATIVE DECLARATION FOR RZ 04-13, BASED ON THE INITIAL STUDY 04-55; LOCATED AT 5917 LAKE STREET, LUCERNE, CA (APN 034-051-09)** - Community Development Director Mary Jane Fagalde and Senior Planner Penelope Shibley were present.

Ms. Shibley gave a brief background report.

Chair Robey opened the public hearing and Mr. Daniel Debonis spoke. No one else 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 the Initial Study No. 04-55, that the rezone as applied for by Daniel Debonis will not have a significant effect on the environment and therefore adopted a negative declaration for the rezone with the findings listed in the Board Memorandum dated February 2, 2005.

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. 2727, and it was passed by a roll-call vote (5 ayes).

6. **ITEM A-6 - 10:00 A.M.- HEARING - NOTICE OF NUISANCE ABATEMENT - 16152 FLORENCE STREET, LOWER LAKE, CA (APN 024-233-09-00 - SHARON WILLIAMS)** - The Clerk swore in Code Compliance Manager Hank Bouillerc and Code Compliance Officer Kimberlee Heckard.

Neither the property owner nor a representative were present.

Ms. Heckard gave brief overview of the violations on the property, which included a substandard dwelling, carport, enclosed porch, accessory structures, open and outdoor storage of junk, debris, scrap wood, scrap metal, appliances and other miscellaneous items.

Mr. Bouillerc gave a power-point presentation showing the conditions of the property.

On motion of Supervisor Smith and by vote of the Board (5 ayes), adopted the order to complete the abatement of the nuisance within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, and all costs associated with this case shall become a charge against the property.

After a short recess, the Board reconvened at 10:29 a.m.

7. **ITEM A-7 - 10:15 A.M. - Continued From February 22, 2005 - PUBLIC HEARING - PLANNING COMMISSIONS' RECOMMENDATION FOR APPROVAL OF ZONING ORDINANCE AMENDMENTS FOR THE COUNTY OF LAKE TO AMEND THE LAKE COUNTY ORDINANCE CODE SECTION 21-45.20, CHAPTER 21 (ZONING ORDINANCE) PERTAINING TO OUTDOOR ADVERTISING AND OFF-SITE SIGNS** - Community Development Director Mary Jane Fagalde was present.

Chair Robey continued the public hearing and the following persons spoke: Mr. Bruce Dietrich, Ms. Marcie Long, Ms. Renee Felciano, Mr. Steve Elias, Mr. Marv Bulter, Mr. Philip Murphy, Mr. Dave Ryan, Ms. Melissa Fulton, Mr. Jim Moravec, Mr Paul Colb and Mr. Tony LaMonica. 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 (4 ayes, Supervisor Brown NO), made an intended decision to approve amendments as submitted, which are to be included the recommendations by the Board that no new permits for billboards will be issued by Community Development, an existing billboard permit will only be renewed for five years, and refer the intended decision back to the Planning Commission for consideration.

8. **ITEM A-11 - 1:30 P.M. - Continued From February 23, 2005 - WORKSHOP WITH LAKE COUNTY PLANNING COMMISSIONERS FOR THE DISCUSSION OF COUNTYWIDE DEVELOPMENT AND PLANNING ISSUES** - This item was continued to March 15, 2005, at 9:30 a.m.

9. **ITEM A-8 - 11:00 A.M. - Continued From February 22, 2005 - DISCUSSION/CONSIDERATION OF POSSIBLE REORGANIZATION OF LAKE COUNTY PUBLIC WORKS DEPARTMENT AND FORMATION OF SEPARATE DEPARTMENT FOR WATER RESOURCE RELATED PROGRAMS** - This item was continued to a later date.

10. **ITEM A-9 - 11:20 A.M. - DISCUSSION/CONSIDERATION OF POSSIBLE REORGANIZATION OF LAKE COUNTY HEALTH SERVICES DEPARTMENT AND FORMATION OF A PUBLIC HEALTH SERVICES DEPARTMENT AND A MENTAL HEALTH SERVICES DEPARTMENT** - Health Services Director Ruth Lincoln, Health Services Fiscal Officer John Moore, AODS Program Manager Laura Solis and Mental Health Division Director Kristy Kelly were present.

Ms. Lincoln gave a brief overview of the proposed reorganization.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the reorganization of the Lake County Health Services Department and the formation of a Public Health Services Department and a Mental Health Services Department, effective July 1, 2005.

11. **ITEM A-14 - Continued From February 22, 2005 - CONSIDERATION OF PROPOSED RESOLUTION TO APPROPRIATE UNANTICIPATED REVENUE FOR BUDGET UNIT NO. 4015 - ALCOHOL AND OTHER DRUG SERVICES, FOR ADDITIONAL FUNDING IN THE AMOUNT OF \$101,519.43 (RECEIVED FROM THE STATE DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS), FOR TREATMENT SERVICES PROVIDED TO THE DRUG MEDICAL ELIGIBLE AND OUTPATIENT DRUG FREE (NNA) CLIENT POPULATION** - Health Services Director Ruth Lincoln, Health Services Fiscal Officer John Moore, AODS Program Manager Laura Solis and Mental Health Division Director Kristy Kelly were present.

Supervisor Brown offered Resolution No. 2005-36, and it was passed by a roll-call vote (5 ayes).

The Board of Supervisors adjourned for lunch at 12:45 p.m. and reconvened at 1:30 p.m., with Supervisor Robey absent.

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

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12. **ITEM A-10 - 11:40 A.M. - (a) CONSIDERATION OF REQUEST FOR DIRECTION REGARDING POSSIBLE FUTURE ACQUISITION OF REAL PROPERTIES, 30 PARCELS, LOCATED ON EAST STATE HIGHWAY 20, LUCERNE, FOR THE ESTABLISHMENT OF THE PROMENADE IN LUCERNE; and (b) ACQUISITION OF REAL PROPERTIES, 8 PARCELS, LOCATED ON BOGGS AVENUE, NICE; ONE PARCEL LOCATED ON LEVY AVENUE, NICE; ONE PARCEL LOCATED ON EAST STATE HIGHWAY 20, NICE; and ONE PARCEL LOCATED ON KEELING AVENUE, NICE, FOR THE DEVELOPMENT OF HINMAN SQUARE (TOWN SQUARE)** - Redevelopment Deputy Director Andy Peterson was present and gave a brief overview of the acquisitions.

Director Robey was present at 1:40 p.m.

On motion of Director Lewis and by vote of the Board (4 ayes, Director Brown NO), approved the initiation of the acquisition process for the properties as opportunities for acquisition arises, prior to establishing an actual sales prices independent appraisals will be conducted and fair market values will be determined, a sales prices will be negotiated with the owner, and prior to the actual purchase of the property, staff will submit the proposed purchase to the Board for further consideration.

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

13. **ITEM A-12 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - Supervisor Farrington stated that the Public Works Department received a phone call from Ms. Marilyn Waldschmit commending the Area 5 Road Crew for their immediate response to her complaint regarding the potholes on George Road.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved a Certificate of Appreciation to the Area 5 Road Crew for their prompt and professional response provided to the residents of Catholic Church Road, and authorized the Chair to sign.

The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Sanitation District.

14. **ITEM A-13 - REQUEST FOR BOARD INTERPRETATION AND DIRECTION RELATIVE TO ORDINANCE NO. 2718 (SEWER USE ORDINANCE), PERTAINING TO SEWER CAPACITY EXPANSION FEES CHARGED BY LAKE COUNTY SANITATION DISTRICT, FOR CONNECTIONS TO THE NORTHWEST AND SOUTHEAST REGIONAL WASTEWATER FACILITIES** - Special Districts Administrator Mark Dellinger was present.

Clarifications regarding the LACOSAN capacity expansion fee as it applies to projects involving residential remodels and additions will be brought back to the Board at a later date for further discussion.

15. **ITEM A-15 - Advanced From February 22, 2005 - AN ORDINANCE AMENDING ARTICLE XIX OF CHAPTER 2 OF THE LAKE COUNTY CODE CONCERNING THE USE OF COUNTY OWNED VEHICLES - (SECOND READING)** - Supervisor Smith offered Ordinance No. 2728, and it was passed by a roll-call vote (5 ayes).

BACK TO #13 - ITEM A-12 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS - Supervisor Smith stated that the Public Works Department received a phone call from Sherri George commending the Area 3 Road Crew for their immediate response to her complaint regarding the potholes on Catholic Church Road.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved a Certificate of Appreciation to the Area 3 Road Crew for their prompt and professional response provided to the residents of Catholic Church Road, and authorized the Chair to sign.

16. **ITEM A-16 - CLOSED SESSION - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Section 65956.9) - (a) Name of Case: Forest Unlimited et. al. v. County et. al.** - Chair Robey 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 2:53 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board