



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD APRIL 4, 2005

The Honorable Board of Supervisors of Lake County, California, met in regular session this 4th day of April, 2006, there being present Supervisors Ed Robey, Jeff Smith, Gary Lewis, Rob Brown, Anthony Farrington, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:00 a.m. by Chair Farrington. Following a moment of silence, Mr. Marv Butler 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 (5 ayes), approved Consent Agenda Items C-1 through C-14, with the exception of Consent Item C-3, which will be taken up immediately following the approval of the Consent Agenda.

Approved Minutes of the Board of Supervisors Meetings held on March 7, 14 and 21, 2006.

Adopted Proclamation commending Terry Barber upon her retirement from County service.

Adopted Resolution No. 2006-61, revising appropriations and revenue estimates in the Fiscal Year 2005-2006 Final Budget (restoring \$15,000 reduction inadvertently included in mid-year budget revision for Budget Unit 2303 - Juvenile Home).

Adopted Resolution No. 2006-62, appropriating unanticipated revenue (received from shared revenue from civil judgments of Air District cases in the amount of \$2,000), for various office improvements and equipment - Budget Unit No. 1231 - County Counsel.

Approved Agreement between the County of Lake and Edgewood Center for Children and Families, for placement of children in Residential Treatment Program, and authorized the Chair to sign.

(a) Approved Budget Transfer B-192, in the amount of \$92,000, for computer network system components, from Budget Unit No. 7999 - Contingencies to Budget Unit No. 1904 - Information Technology, and authorized the Chair to sign; and (b) waived the formal bidding process and made a determination that competitive bidding would produce no economic benefit to the County, for the purchase of computer network system components and authorized purchase through California State Department of General Services Negotiated Pricing Agreements, as per recommendation from Information Technology Director Martin Franusich, in his Memorandum to the Board of Supervisors dated March 22, 2006.

Adopted Resolution No. 2006-63, approving Final Parcel Map and the signing of the Final Parcel Map (Timm).

Adopted Resolution No. 2006-64, changing mileage in County Maintained Road System.

(a) Approved participation in the Hillside Yamaha's Personal Watercraft Program, to allow Marine Patrol Division to use two (2) jet skis, for the summer of 2006; and (b) approved Agreement between the County of Lake and Hillside Yamaha, for the Waverunner 2006 Law Loan Program and authorized the Chair to sign.

Approved Second Amendment to Contract between the County of Lake and Sutter Lakeside Community Services, for Cal Learn Teen Parenting services, and authorized the Chair to sign.

(a) Approve Budget Transfer B-193, in the amount \$32,000, for purchase four (4) servers and one (1) bridge for the new Central Dispatch Facility, Budget Unit No. 2202 - Sheriff/Central Dispatch, and authorized the Chair to sign; and (b) waived the formal bidding process and made a determination that competitive bidding would produce no economic benefit to the County, as per recommendation from Sheriff Rodney Mitchell, in his Memorandum to the Board of Supervisors dated March 22, 2006, for the purchase of four (4) servers from Polestar Computers and one (1) bridge from Signal Solutions Corporation, for the new Central Dispatch Facility.

Sitting as the Board of Directors of Lake County Sanitation District, approved Eighth Amendment to Contract between the Lake County Sanitation District and Deep Valley Security "24", to provide alarm monitoring services, and authorized the Chair to sign.

Sitting as the Board of Directors of Lake County Watershed Protection District, approved Amendment One to Agreement between the Lake County Watershed Protection District and West Lake Resource Conservation District, for implementation of Proposition 13 Grant for inventory, eradication and effectiveness monitoring of Invasive species, and authorized the Chair to sign.

CONSENT ITEM C-3 - CONSIDERATION OF ADOPTION OF PROCLAMATION DESIGNATING THE MONTH OF APRIL 2006, AS CHILD ABUSE PREVENTION MONTH IN LAKE COUNTY - The Board of Supervisors received a Memorandum from Assistant Clerk of the Board Georgine Hunt, dated April 4, 2006, requesting that this item be pulled and carried over to April 11, 2006.

This item was carried over to April 11, 2006, at 10:00 a.m.

2. **ITEM A-2 - PRESENTATION OF ANIMALS THAT ARE AVAILABLE FOR ADOPTION AT THE LAKE COUNTY ANIMAL CARE AND CONTROL SHELTER** - Animal Control Officer Morgan Nelsen was present and showed two (2) dogs and two (2) cats that are available for adoption at the Lake County Animal Care and Control Center.

3. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

EXTRA #1 - CONSIDERATION OF APPROVAL OF GRANT DEED AND DIRECT CLERK TO CERTIFY FOR RECORDATION (A PORTION OF APN 008-038-19 - JOHN M. MONTELLI, TRUSTEE, CONNIE MONTELLI, TRUSTEE, DAN N. MONTELLI and JAN MONTELLI), and APPROVE PURCHASE AGREEMENT BETWEEN THE COUNTY OF LAKE

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AND JOHN M. MONTELLI, TRUSTEE, CONNIE MONTELLI, TRUSTEE, DAN N. MONTELLI, TRUSTEE and JAN MONTELLI, TRUSTEE, FOR MERRITT ROAD BRIDGE CONSTRUCTION - On motion of Supervisor Brown 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 subject property owners contacted the Public Works Department on March 30, 2006, asking if the department could try and expedite this acquisition as soon as possible, due to the sale of the subject property. If the sale of the subject parcel is finalized before the County's deed and purchase agreement has been recorded, the County's deed and purchase agreement become invalid.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-038-19 - John M. Montelli, Trustee, Connie Montelli, Trustee, Dan N. Montelli and Jan Montelli), and approved Purchase Agreement between the County of Lake and John M. Montelli, Trustee, Connie Montelli, Trustee, Dan N. Montelli, Trustee and Jan Montelli, Trustee, for Merritt Road Bridge Construction, and authorized the Chair to sign.

The Board of Supervisors adjourned and convened as the Lake County Housing Commissioners with Commissioner Morin absent.

4. **ITEM A-5 - 9:15 A.M. - CONSIDERATION OF REQUEST TO APPROVE THE LAKE COUNTY HOUSING AUTHORITY STREAMLINED ANNUAL PLAN FOR FISCAL YEAR 2007; and (b) CONSIDERATION OF APPROVAL OF CERTIFICATION OF PHA COMPLIANCE** - Social Services Director Carol Huchingson and Program Manager Steve Citron were present.

Mr. Citron stated that the PHA Certification of Compliance included the following assurances with respect to the content of the Plan Update: (1) Consistency with local housing affordability strategies and the State Consolidated Plan; (2) establishment of a Resident Advisory Board; (3) Provision of a 45-day review period prior to the public hearing; (4) conformity with Civil Rights, ADA, Anti-Age Discrimination and Drug-Free Workplace requirements; (5) furtherance of fair housing practices; (6) establishment of policy for Section 8 waiting list; (6) compliance with accessibility requirements for the physically disabled; (7) compliance with employment opportunity requirements for low/very low income persons; and (8) compliance with restrictions of lobbying activities.

On motion of Commissioner Lewis and by vote of the Board (5 ayes, Commissioner Morin ABSENT), approved the Lake County Authority Streamlined Annual Plan for Fiscal Year 2007.

On motion of Commissioner Lewis and by vote of the Board (5 ayes, Commissioner Morin ABSENT), approved Certification of PHA Compliance and authorized the Chair to sign.

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

5. **ITEM A-13 - PROPOSED ORDINANCE GOVERNING ALCOHOL USE IN THE COUNTY PARKS** - Sheriff Rodney Mitchell was present.

After a long discussion, it was determined by the Board that this item needed to be continued until Public Services Director Kim Clymire could be present.

This item was continued to April 25, 2006, at 1:30 p.m.

After a short recess, the Board reconvened at 10:00 a.m.

6. **ITEM A-7 - 10:00 A.M. - PRESENTATION OF PROCLAMATION COMMENDING TERRY BARBER UPON HER RETIREMENT FROM COUNTY SERVICE** - Supervisor Brown read the proclamation into the record. The proclamation was presented to Terry Barber.

Interim Health Director Jim Brown and Environmental Health Director Ray Ruminski were also present and commended Terry Barber upon her retirement.

7. **ITEM A-6 - 9:30 A.M. - UPDATE ON THE PROPOSED TRAFFIC MITIGATION FEE PROGRAM FOR LAKE COUNTY** - Public Works Director Gerry Shaul and Area Planning Council Staff Consultant Phil Dow were present.

Mr. Paul Miller, representing Omni-Means, Ltd., was also present and gave a power-point presentation on the program, which included GIS data, maps, short-term and long-term road improvements that are needed, new development fees and the Traffic Analysis Zone (TAZ) map that is being developed.

There was no action taken on this item.

8. **ERRATUM A-1 - (a) CONSIDERATION OF ADOPTION OF PROCLAMATION DESIGNATING THE MONTH OF APRIL, 2006, AS SEXUAL ASSAULT AWARENESS MONTH IN LAKE COUNTY; and (b) PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF APRIL 2006, AS SEXUAL ASSAULT AWARENESS MONTH IN LAKE COUNTY** - On motion of Supervisor Lewis and by vote of the Board (5 ayes), adopted proclamation designating the month of April 2006, as Sexual Assault Awareness Month in Lake County.

Supervisor Lewis read the proclamation into the record. The proclamation was presented to Ms. Lee Perrilla and Ms. Debbie Wallace.

9. **ITEM A-8 - 10:05 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF APRIL 2006, AS CHILD ABUSE PREVENTION MONTH IN LAKE COUNTY** - The Board of Supervisors received a Memorandum from Assistant Clerk of the Board Georgine Hunt, dated April 4, 2006, requesting that this item be pulled and carried over to April 11, 2006.

This item was carried over to April 11, 2006, at 10:00 a.m..

10. **ITEM A-9 - 10:15 A.M. - DISCUSSION/CONSIDERATION OF REQUEST FROM LUCERNE ALPINE SENIOR CENTER BOARD OF DIRECTORS FOR AN INTEREST BEARING LOAN IN THE AMOUNT OF \$150,000 FROM THE COUNTY TO PAY PAST-DUE EXPENSES** - Lucerne Alpine Seniors, Inc., Board of Directors Chair James Swatts and Lucerne Alpine Seniors, Inc., Executive Director J. J. Jackson were present.

Mr. Jackson gave an overview of current outstanding accounts payable which total approximately \$150,000.

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There was consensus by the Board to work with the Board of Directors to explore other opportunities for funding, such as bank loans, casinos, lending companies and other private sectors. If no other funding sources are secured, recommendations will be brought back to the Board at a later date.

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

11. **A-14 - CONSIDERATION OF REAL PROPERTY PURCHASE CONTRACT BETWEEN THE LAKE COUNTY WATERSHED PROTECTION DISTRICT AND GLEN L. BOBST and BEVERLY BOBST, IN THE AMOUNT OF \$357,000, FOR MIDDLE CREEK FLOOD DAMAGE REDUCTION AND ECOSYSTEM RESTORATION PROJECT (APN 004-022-24)** - On motion of Director Lewis and by vote of the Board (4 ayes, Director Brown NO), approved Real Property Purchase Contract between the Lake County Watershed Protection District and Glen L. Bobst and Beverly Bobst, in the amount of \$357,000, for Middle Creek Flood Damage Reduction and Ecosystem Restoration Project (APN 004-022-24), and authorized the Chair to sign.

12. **ITEM A-15 - CONSIDERATION OF REAL PROPERTY PURCHASE CONTRACT BETWEEN THE LAKE COUNTY WATERSHED PROTECTION DISTRICT AND GARY WARE, IN THE AMOUNT OF \$217,000, FOR MIDDLE CREEK FLOOD DAMAGE REDUCTION AND RESTORATION PROJECT (APN 004-021-22)** - On motion of Director Lewis and by vote of the Board (4 ayes, Director Brown NO), approved Real Property Purchase Contract between the Lake County Watershed Protection District and Gary Ware, in the amount of \$217,000, for Middle Creek Flood Damage Reduction and Restoration Project (APN 004-021-22), and authorized the Chair to sign.

The Board of Directors of Lake County Watershed Protection District adjourned and reconvened as the Board of Supervisors.

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

13. **ITEM A-16 - CONSIDERATION OF RECOMMENDATION TO AWARD BID NO. 06-26, TO REDWOOD RELIANCE PETERBUILT, FOR ONE (1) NEW 2006 SIX-YARD DUMP TRUCK, IN THE AMOUNT OF \$92,519.29** - This item was pulled from today's agenda. Special Districts will be changing the specifications and will go out to bid again for the dump truck.

14. **ITEM A-10 - 11:30 A.M. - PUBLIC HEARING - PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A GENERAL PLAN OF DEVELOPMENT (GPD 05-02) TO ALLOW CONSTRUCTION OF A LUMBER YARD/HARDWARE STORE AND A BUSINESS PARK; A REZONE (RZ 05-06) FROM "A-SC" (AGRICULTURAL-SCENIC CORRIDOR) TO "PDC" (PLAN DEVELOPMENT COMMERCIAL), PROPOSED FOR KELSEYVILLE LUMBER; ADOPTION OF A MITIGATION NEGATIVE DECLARATION BASED ON THE INITIAL STUDY (IS 05-36); LOCATED AT 3505 MERRITT ROAD, AND 3575 BIG VALLEY ROAD, KELSEYVILLE CA (APNS 008-038-53 AND 008-063-06)** - Supervisor Brown stated to the Board that he has a conflict of interest with this project because he owns property near the proposed site and he will not be participating in this discussion.

Supervisor Brown was absent at 11:34 a.m.

Community Development Director Mary Jane Fagalde, Assistant Community Development Director Rick Coel and Agricultural Commissioner Steve Hajik were present.

Mr. Coel gave a brief background report. The applicant is requesting approval of a rezone from Agriculture to Planned development Commercial and a general plan of development to allow relocation and expansion of Kelseyville Lumber, and to develop a future business park.

Property owner Mark Borghesani was also present.

Chair Farrington opened the public hearing and Mr. Chuck March 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 (4 ayes, Supervisor Brown ABSENT), found on the basis of Initial Study No. 05-36 that the rezone from "A-SC" to "PDR-DR" and the general plan of development, as applied for by Kelseyville Lumber Company, will not have a significant effect on the environment and therefore adopted a mitigated negative declaration for the proposed rezone and general plan of development with the findings listed in the Board Memorandum dated March 9, 2006.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), waived the reading of the ordinance and had it read in title only (Clerk so did).

Supervisor Lewis offered Ordinance No. 2766, and it was passed by a roll-call vote (4 ayes, Supervisor Brown ABSENT).

On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Brown ABSENT), reviewed and considered the environmental effect of this general plan of development as set forth in the proposed Mitigated Negative Declaration which has been adopted for this project, and approved the general plan of development for Kelseyville Lumber Company on property located at 3505 Merritt Road and 3575 Big Valley Road, Kelseyville, for the reasons listed in the Board Memorandum dated March 9, 2006.

The Board recessed for lunch at 11:57 a.m. and reconvened at 1:32 p.m., with Supervisor Brown present.

15. **ITEM A-11 - 1:30 P.M. - PUBLIC HEARING - CONSIDERATION OF RECOMMENDING DISAPPROVAL OF GPAP 05-09, RZ 05-12, GPD 05-05 AND APZ 05-02 PURSUANT TO SECTION 15270 OF THE STATE CEQA GUIDELINES, THE APPLICANTS ORIGIN HOMES AND BOEGER LAND DEVELOPMENT (CRISTALLOGO), PROPOSE THE FOLLOWING: A GENERAL PLAN AMENDMENT OF APPROXIMATELY 856 ACRES FROM RURAL LANDS, RURAL RESIDENTIAL AND RESOURCE CONSERVATION, TO SUBURBAN RESIDENTIAL RESERVE AND RURAL RESIDENTIAL; A REZONE FROM "RL" (RURAL LANDS), "RR" (RURAL RESIDENTIAL), "O" (OPEN SPACE) AND "A" (AGRICULTURAL) TO "PDR" (PLANNED DEVELOPMENT RESIDENTIAL); AN IMMEDIATE CANCELLATION FROM THE WILLIAMSON ACT CONTRACT; A GENERAL PLAN OF DEVELOPMENT TO ALLOW DEVELOPMENT OF APPROXIMATELY 1,000 RESIDENTIAL LOTS, 200 CONDOMINIUMS, AND AN 18 HOLE GOLF COURSE, CLUBHOUSE FACILITY AND RESTAURANT. THIS PROJECT IS LOCATED WEST OF HILL ROAD, LAKEPORT, CALIFORNIA, BETWEEN SCOTTS VALLEY AND THE HILL ROAD CORRECTIONAL FACILITY (APNS 003-046-66 AND 67; 005-001-06 AND 07; 005-009-04, 05 AND 07; 005-010-05, 16 AND 17)** - Community Development Director Mary Jane Fagalde and Assistant Community Development Director Rick Coel, Agricultural Commissioner Steve Hajik, Deputy Air Pollution Control Officer Ross Kauper and Special District Administrator were present.

Cristallogo representative Mr. Jim Burns was present and gave a power-point presentation showing what the project would look like when completed. Also, the presentation included the property description, project objectives, population and buyer profile, economics analysis, environmental analysis, public services and ownership.

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Mr. Dave Lanferman, attorney for applicant was also present.

Chair Farrington opened the public hearing and the following persons spoke: Mr. Mike Mayfield, Mr. Phil Murphy, Mr. Mike Blake, Mr. John Lee, Mr. John Roddy, Ms. Suzanne Lyons, Mr. Ted Mandrones, Mr. Buzz Brunns, Mr. Robert Riggs, Ms. Victoria Brandon, Ms. Sybil Francis, Mr. Mark Borghesani, Mr. Harry Whitlock, Ms. Lynn Fischbein, Mr Glenn Fedman, Ms. Carol Merritt, Mr. Tom Powers, Mr. Kevin Mitchell, Ms. Cheri Holden, Mr. Paul Algner, Ms. Kathy Gott and Ms. Pan Penley.

The public hearing was continued after a short recess.

After a short recess, the Board reconvened at 4:03 a.m.

Chair Farrington continued the public hearing and the following persons spoke: Ms. Maria Limbert, Mr. Richard Nickel, Ms. Joan Moss, Mr. Brad Peters, Mr. Christopher Caudle, Mr. Robert Stark, Ms. Shirley Brooks, Mr. Chuck Lamb, Mr. Larry Heine, Ms. Marcie Long, Ms. Angela Siegel, Mr. Bruce Sisevich, Mr. Don Van Pelt, Mr. Paul Kolb, Ms. Donna Peterson, Mr. Clint Wilson, Mr. Jim Matzinger, Mr. David Neft and Ms. Melissa Fulton. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Robey NO), did not disapprove the general plan amendment, rezone and general plan of development of Cristallogo, and instead recommended that staff be given direction on policy amendments to the Lakeport Area Plan and General Plan Update, and proceed with processing these applications and preparation of an appropriate environmental document for this proposal.

There being no further business, the Board adjourned at 6:09 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board