



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 15, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 15th day of August, 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 in memory of Ms. Brenda Campbell, County Counsel Anita Grant 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-12.

Adopted proclamation designating the month of August as Child Support Awareness Month in Lake County.

Adopted Resolution No. 2006-135, approving Contract No. 06-0015c and authorizing execution thereof for the electronic submission of pesticide use data during Fiscal Year 2006/2007.

Adopted Resolution No. 2006-136, revising appropriations and revenue estimates in the Fiscal Year 2005/2006 Final Budget.

Approved City of Clearlake's request to consolidate the Municipal Election with the November 7, 2006, General Election.

Approved Election Information Management System (EIMS) Lease Agreement between the County of Lake and DFM Associates, for software support, maintenance and update service, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Community Care HIV/AIDS Program, for provision of HIV/AIDS counseling and case management services for Lake County residents for Fiscal Year 2006/2007, and authorized the Chair to sign.

(a) Approved Service Agreement between the County of Lake and Interim Physicians, Inc., for locum tenens coverage ;and (b) approved Agreement between the County of Lake and Medsource Consultants, for locum tenens coverage, and authorized Mental Health Director to sign both agreements.

Adopted Resolution No. 2006-137, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under Agreement dated June 24, 2005, (Central Dispatch Tower at 1355 Hoytt Avenue, Lakeport).

Accepted Irrevocable Offers of Dedication for roadway and public utility purposes, (fifty feet in width, centered over an existing access road running from Old Long Valley Road, County Road Number 217), Robert D. McMullen, Karen C. McMullen and Operating Engineers Local Union No. 3 Federal Credit Union, and directed Clerk to certify for recordation.

Approved Inter-County Agreement between the County of Lake and the County of Humboldt, for temporary Health Officer coverage, and authorized the Chair to sign.

Adopted Resolution No. 2006-138, authorizing acceptance of Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds (for purchase of two mobile audio visual units for the Clearlake and Lakeport Police Departments).

Carried over from August 1, 2006 - Adopted Resolution No. 2006-139, adopting a Memorandum of Understanding by and between the Lake County Correctional Officers' Association and the County of Lake, for Fiscal Years 2005 to 2008.

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 that are available for adoption at the Lake County Animal Care and Control Center.

3. **ITEM A-16 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCEA, LCCOA, SDA and DDAA** - Chair Farrington 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.

4. **ITEM A-5 - 9:15 A.M. - (a) PUBLIC HEARING - PROTEST HEARING FOR THE PROPOSED ESTABLISHMENT OF CSA 23 - "ZONE E" (MONTE VISTA) AND IMPOSITION OF ASSESSMENTS; and (b) PROPOSED RESOLUTION ACCEPTING AND CONFIRMING BALLOT TABULATION, ALL AS SET FORTH IN THE ENGINEER'S REPORT - (COUNTYWIDE COUNTY SERVICE AREA FOR ROAD IMPROVEMENT/MAINTENANCE PROGRAM)** - Public Works Director Gerry Shaul was present.

Mr. Shaul stated that the ballot process for the possible establishment of CSA 23 -Zone E (Monte Vista), is not determined by the number of ballots received, but is determined by the appointment of costs based upon an analysis of the special and direct benefit to be received by each parcel in the benefit zone from that particular improvement.

Chairman Farrington opened the public hearing. No one was present wishing to speak and the public hearing was closed.

CSA 23 - "Zone E" - Monte Vista Base Assessment

For: \$625.00
Against: \$128.00

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After confirming the ballot tabulation for "Zone E" (Monte Vista), there was not a majority protest and therefore the proposed assessment for "Zone F" shall be established.

Supervisor Brown offered Resolution No. 2006-134, (a Resolution accepting and confirming ballot tabulation for the establishment of "Zone E" (Monte Vista) of County Service Area No. 23, approving formation of "Zone E" (Monte Vista) and Assessments for "Zone E" (Monte Vista) Road Maintenance, and it was passed by a roll-call vote (5 ayes).

After a short recess, the Board reconvened at 9:30 a.m.

5. **ITEM A-6 - 9:30 A.M. - PUBLIC HEARING - CONSIDERATION OF A PARTIAL CANCELLATION (APZ 06-01) OF WILLIAMSON ACT CONTRACT 68-12 (TOTALING 144 ACRES); AND ADOPTION OF A NEGATIVE DECLARATION FOR THIS PROJECT BASED ON INITIAL STUDY (IS 01-77); LOCATED AT 4220 STATE HIGHWAY 175, LAKEPORT (APNs 007-005-27, 007-005-28, and 007-006-08); PROJECT APPLICANT IS GRANITE CONSTRUCTION COMPANY - Community Development Director Mary Jane Fagalde and Assistant Community Development Director Rick Coel were present.**

Mr. Coel gave a brief overview of the proposal. The petitioner proposes to cancel three parcels totaling 144 acres of land under a Williamson Act Contract in order to continue operation and expansion of a quarry, processing facilities and asphalt and Portland cement concrete plants.

Chair Farrington opened the public hearing and Mr. Jordan Main and Mr. Ken Johnson spoke. 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 (5 ayes), found that on the basis of Initial Study 01-77 prepared by the Planning Division, the partial Williamson Act cancellation as petitioned for by Granite Construction Company will not have a significant effect on the environment and therefore a negative declaration shall be issued with the findings listed in the Memorandum dated June 29, 2006.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the partial cancellation of Williamson Act Contract 68-12 with Granite Construction Company and authorized the Chair to sign the tentative cancellation.

After a short recess, the Board reconvened at 9:50 a.m.

6. **ITEM A-7 - 9:45 A.M. - PUBLIC HEARING - CONSIDERATION OF APPROVAL OF A LOT LINE ADJUSTMENT (LLA 06-04) BETWEEN THREE PARCELS UNDER TWO LAND CONSERVATION CONTRACTS; CONSIDERATION TO RESCIND THE TWO LAND CONSERVATION CONTRACTS; AND CONSIDERATION TO REAPPROVE THE TWO LAND CONSERVATION CONTRACTS, PROPOSED FOR JARED E. HENDRICKS; LOCATED 3657, 3617 AND 3297 HENDRICKS ROAD, LAKEPORT, CA (APNs 005-006-27, 005-006-28 AND 005-006-08) - Assistant Community Development Director Rick Coel and Assistant Resource Planner Carolyn Ruttan were present.**

Ms. Ruttan gave a brief overview of the proposal. Two contiguous parcels are located within one contract (APZ 77-19), and under different ownership. The other parcel is under the other contract (APZ 77-2). The lot line adjustment would modify boundary line of the three parcels. There will be no net change in the total contracted area.

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

On motion of Supervisor Brown and by vote of the Board (5 ayes), found that the Lot Line Adjustment and Land Conservation Contract rescission and reapproval are exempt from CEQA because they fall within Categorical Exemption Class 5 and Class 17 respectively.

Supervisor Brown offered Resolution No. 2006-140 (a Resolution approving Lot Line Adjustment LLA 06-04, and rescinding and reapproving two Land Conservation Contracts), and it was passed by a roll-call vote (5 ayes).

7. **ITEM A-8 - 10:00 A.M. - PUBLIC HEARING - CONSIDERATION OF APPROVAL OF A LOT LINE ADJUSTMENT (LLA 05-32) BETWEEN TWO PARCELS UNDER ONE LAND CONSERVATION CONTRACT; CONSIDERATION TO RESCIND THE ONE LAND CONSERVATION CONTRACT; AND CONSIDERATION TO REAPPROVE THE ONE LAND CONSERVATION CONTRACT, PROPOSED FOR JARED E. HENDRICKS; LOCATED 3525, 3677 AND 3657 HENDRICKS ROAD, LAKEPORT, CA (APNs 005-008-27, 005-006-28 and 005-006-29) - Assistant Community Development Director Rick Coel and Assistant Resource Planner Carolyn Ruttan were present.**

Ms. Ruttan gave a brief overview of the proposal. Both parcels are located within the same APZ zoning, under the same land conservation contract, and under different ownership (Hendricks and Curry). The lot line adjustment would modify four internal boundary lines of these two parcels. There will be no net change in the contracted area. There will be a change in ownership (Curry is transferring 17.5 acres to Hendricks). The boundary description will be changed to reflect the reconfigured parcels and the new assessor numbers.

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

On motion of Supervisor Brown and by vote of the Board (5 ayes), found that the Lot Line Adjustment and Land Conservation Contracts rescission and reapproval are exempt from CEQA because they fall within Categorical Exemption Class 5 and Class 17 respectively.

Supervisor Brown offered Resolution No. 2006-141 (a Resolution approving Lot Line Adjustment LLA 05-32, and rescinding and reapproving a Land Conservation Contract), and it was passed by a roll-call vote (5 ayes).

After a short recess, the Board reconvened at 10:20 a.m.

8. **ITEM A-9 - 10:15 A.M. - PRESENTATION REGARDING SEX OFFENDER REGISTRATION AND TRACKING METHODS EMPLOYED BY THE LAKE COUNTY SHERIFF'S DEPARTMENT - Sheriff Rodney Mitchell and Deputy Sheriff Mike Curran were present.**

Deputy Sheriff Curran gave a brief overview of the registration requirements for sex offenders. Persons convicted of specified sex crimes are required to register as sex offenders with a local law enforcement agency. Prior to release from prison, jail, a mental hospital or on probation, sex offenders are notified in writing of their duty to register, and a copy of the notification form is forwarded to the Department of Justice. When a sex offender is released into the community, the agency forwards the registration information to the Department of Justice. However, it has been discovered that in older cases, there was a 138 convicted sex offenders whose notification form had not been forwarded to the Department of Justice. The names of these

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offenders have now been forwarded to the Department of Justice, and research is being conducted throughout California in order to locate these offenders.

There was no action taken on this item.

9. **ITEM A-10 - 10:30 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF AUGUST AS CHILD SUPPORT AWARENESS MONTH IN LAKE COUNTY** - Supervisor Robey read the proclamation into the record. The proclamation was presented to Director of Child Support Services Gail Woodworth.
10. **ITEM A-11 - 10:35 A.M. - PRESENTATION OF COUNTY SECURITY REVIEW AND CONSIDERATION OF RECOMMENDATIONS, INCLUDING THE PROPOSED INSTALLATION OF SCREENING STATION(S)** - The Board received a Memorandum from Court Executive Officer Mary Smith, dated August 11, 2006, requesting that this item be pulled from today's agenda and that it be carried over to September 5, 2006, at 1:30 p.m.

After a short recess, the Board reconvened at 11:07 a.m.

11. **ITEM A-12 - 11:00 A.M. - CONSIDERATION OF REQUEST FROM THE ANDERSON SPRINGS COMMUNITY FOR FUNDING FROM THE COUNTY OF LAKE (GEOTHERMAL MITIGATION COMMUNITY FUND), IN THE AMOUNT OF \$8,437.57, TO COVER ADDITIONAL EXPENSES INCURRED DURING REPAIR OF THE ANDERSON CREEKSIDE POOL** - Ms. Penny Falduto, representing Anderson Springs Community, was present. Chair Farrington asked if anyone present wished to speak on this item and Ms. Joan Clay spoke. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the request from the Anderson Springs Community for funding from the County of Lake (Geothermal Mitigation Community Fund), in the amount of \$8,437.57, to cover additional expenses incurred during repair of the Anderson Creekside pool.

After a short recess, the Board reconvened at 11:31 a.m.

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

12. **ITEM A-13 - 11:30 A.M. - PUBLIC HEARING - CONSIDERATION OF RECOMMENDATION TO ACQUIRE (PURCHASE) REAL PROPERTY BY THE LAKE COUNTY REDEVELOPMENT AGENCY AND THE SALE OF REAL PROPERTY BY THE COUNTY OF LAKE, CONSISTING OF LAND LOCATED AT 6325 EAST STATE HIGHWAY 20, LUCERNE, CA (APN 034-211-10), FOR THE DEVELOPMENT OF THE PROMENADE IN LUCERNE** - Deputy Redevelopment Director Andy Peterson was present.

Chair Farrington opened the public hearing and the following persons spoke: Ms. Donna Christopher, Mr. Darnel Walton, Ms. Lenny Mathews, Mr. Lyndon Earnst, Ms. Sophie Jensen, Mr. Steve Merchen, Mr. Ken Parlet and Ms. Melissa Fulton. No one else was present wishing to speak and the public hearing was closed.

Supervisor Lewis made a motion to approve the Purchase Agreement between the County of Lake and the Lake County Redevelopment Agency, granting property to the Lake County Redevelopment Agency, located at 6325 East State Highway 20, Lucerne (APN 034-211-10), for the development of the Promenade in Lucerne, motion fails due to vote (2 ayes, Supervisors Robey, Brown and Farrington NO).

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

The Board of Supervisors adjourned for lunch at 1:10 p.m. and reconvened at 1:42 p.m.

13. **ITEM A-14 - Continued From June 20 and July 25, 2006 - 1:30 P.M. - JOINT MEETING WITH THE LAKE COUNTY PLANNING COMMISSION TO RECEIVE UPDATE ON CSA #21 - NORTH LAKEPORT, INCLUDING DISCUSSION OF POSSIBLE MORATORIUM ON WATER HOOK-UPS** - District 1 Planning Commissioner Frieda Camotta, District 3 Planning Commissioner Marv Butler, District 4 Planning Commissioner Cliff Swetnam and District 5 Planning Commissioner Gilbert Schoux were present. District 2 Planning Commissioner Gary Briggs was absent.

Special Districts Administrator Mark Dellinger and Assistant Community Development Director Rick Coel were also present.

Chair Farrington asked if anyone present wished to speak on this item and the following persons spoke: Mr. Sammy Cater, Mr. Clint Wilson, Mr. Chuck Lamb, Ms. Victoria Brandon and Mr. Mike Blake. No one else was present wishing to speak and the public portion of this item was closed.

There was consensus by the Board for RH Ventures to proceed with the drilling of the monitoring wells on the select Robin Hill site, after the monitoring wells are completed, they must meet the regulatory requirements of the State Department of Health, and authorized Special District Administrator Mark Dellinger to provide the State with this proposal and any other issues that arise that are pertinent to CSA #21 - North Lakeport.

There being no further business, the Board adjourned at 3:02 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board