



MINUTES

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD AUGUST 28, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 28TH day of August, 2007, there being present Supervisors Ed Robey, Denise Rushing, Anthony Farrington, Rob Brown, Jeff Smith, Administrative Officer Kelly Cox, County Counsel Anita Grant, and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Smith. After a moment of silence, Mireya Turner led the salute to the flag of the United States of America.

1. **ITEM A-3 - 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-6, with the exclusion of C-1 and C-2, which will be taken up directly after the Consent Agenda.

Approved Master Agreement between the County of Lake and SBC Global Services, Inc. (dba AT&T Global Services) for fiber optic and internet service, and authorized the Chair to sign.

Authorized Alcohol and Other Drug Services staff to provide county transportation for clients to Sacramento, on September 5, 2007, to attend the Annual California Recovery Happens Month - September and National Alcohol and Drug Addiction Recovery Month event, as requested in the AODS Administrator's Memorandum dated August 15, 2007.

Approved Amendment One to the Agreement between the County of Lake and Engeo, Inc. for engineering services for geotechnical review services of various storm damage sites in Lake County (an increase of \$6,500), and authorized the Chair to sign.

2. **CONSENT AGENDA ITEM C-1 - APPROVE PURCHASE AGREEMENT AMENDMENT TO EXTEND THE DEADLINE FOR CLOSURE OF ESCROW IN THE APRIL 10, 2007, PURCHASE AGREEMENT BETWEEN THE COUNTY AND THE LUCERNE ALPINE SENIORS, INC. (EXTENDING DEADLINE TO JANUARY 7, 2008), AND AUTHORIZE THE CHAIR TO SIGN** - This item was pulled from the Consent Agenda when the County Administrative Office was informed the extension would no longer be necessary.

3. **CONSENT AGENDA ITEM C-2 - CONSIDERATION/ADOPTION OF RESOLUTION APPROVING THE FINAL SUBDIVISION MAP FOR WALNUT VISTA ESTATES SUBDIVISION** - Supervisor Farrington offered Resolution No. 2007-172, and it was passed by roll call vote (5 ayes).

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

Extra #1 - Award of Bid for Construction on Perini Road at Seigler Canyon Creek, Bridge Replacement Project, Lower Lake, CA - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved taking up this item as an extra.

Public Works Director Gerry Shaul gave a brief summary.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Bid 08-02, RNR Construction Inc., in the amount of \$330,565.00, and authorized the Chair to sign the Notice of Award.

3. **CITIZEN'S INPUT** - Dante DeAmicis spoke regarding the Sheriff Department's activity during the Blue Heron Rally.
4. **ITEM A-5 - 9:15 A.M. - (a) STATUS REPORT AND UPDATE ON ACTIVITIES OF THE CODE COMPLIANCE DIVISION; and (b) DISCUSSION/CONSIDERATION OF OPTIONS TO ESTABLISH THE ENFORCEMENT FEE/COST RECOVERY PROGRAM** - Code Enforcement Manager Voris Brumfield gave a power point presentation regarding the recent activity of the Code Enforcement Division.

Chair Smith asked if there was anyone present wishing to speak and the following people spoke: Dante DeAmicis, Joan Moss and Victoria Brandon. No one else was present wishing to speak and the public portion of this item was closed.

The Board formed a committee with Supervisors Farrington, Rushing and Smith (Alternate) to work with Code Enforcement staff to further develop the Code Enforcement Fee Schedule and return it to the Board for consideration.

5. **ITEM A-12 - PROPOSED AMENDMENT TO RENTAL AGREEMENT BETWEEN THE COUNTY OF LAKE AND TERRY SOCHET FOR PROPERTY LOCATED AT 14141 LAKESHORE DRIVE, CLEARLAKE** - Mental Health Director Kristy Kelly gave a brief summary.

Chair Smith asked if there was anyone present wishing to speak and Jack Bettencourt 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 First Amendment to the Rental Agreement between the County of Lake and Terry Sochet for property located at 14141 Lakeshore Drive, Clearlake, and authorized County Administrative Officer Kelly Cox and Mental Health Director Kristy Kelly to sign this and future rental agreement amendments, not to exceed eight (8) apartment rentals total.

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6. **ITEM A-6 - 10:00 A.M. - DISCUSSION/CONSIDERATION TO IMPLEMENT PROPOSITIONS 60 AND 90 WHICH, UNDER CERTAIN CONDITIONS ALLOW PERSONS AGED 55 AND OVER TO TRANSFER A PROPERTY'S TAX BASE VALUE OR RATE FROM AN EXISTING RESIDENCE TO A REPLACEMENT RESIDENCE FOR EITHER INTRACOUNTY (PROPOSITION 60) OR INTERCOUNTY (PROPOSITION 90) PROPERTY TAX TRANSFERS** - Assessor-Recorder Doug Wacker gave a brief summary.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: John McGann and Victoria Brandon. No one else was present wishing to speak and the public portion of this item was closed.

After a brief recess, the Board reconvened at 11:10 a.m.

7. **ITEM A-7 - 10:30 A.M. - CONSIDERATION OF REQUEST FOR FUNDING FROM THE COUNTY OF LAKE (GEOHERMAL MITIGATION COMMUNITY FUND) FOR THE CONSTRUCTION OF AN ARCH OVER THE ENTRANCE TO THE COMMUNITY OF ANDERSON SPRINGS** - Supervisor Robey gave an introduction to the item.

Penny Falduto and Meriel Medrano of Anderson Springs spoke.

There was no Board action taken on this item.

8. **ITEM A-9 - CONSIDERATION OF PROPOSED RESOLUTION APPROVING PARTICIPATION IN "COOL COUNTIES" CLIMATE STABILIZATION DECLARATION** - Supervisor Rushing gave a summary of this item.

Chair Smith asked if anyone was present wishing to speak on this item and the following people spoke: Victoria Brandon, Bill Barrows, Dallas Cook and Jack Bettencourt. No one else was present wishing to speak and the public portion of this item was closed.

Amendments were made to the resolution.

Supervisor Rushing offered Resolution 2007-173, as amended, and it was passed by roll call vote (4 ayes, Supervisor Brown NO).

9. **ITEM A-10 - Continued from July 17, 2007 - (a) PROPOSED ORDINANCE AMENDING CHAPTER 29 OF THE LAKE COUNTY CODE, THE STORM WATER MANAGEMENT ORDINANCE, REGARDING POST CONSTRUCTION REQUIREMENTS FOR NEW DEVELOPMENT AND SIGNIFICANT REDEVELOPMENT; (b) PROPOSED RESOLUTION ESTABLISHING RULES AND REGULATIONS GOVERNING POST CONSTRUCTION REQUIREMENTS FOR NEW DEVELOPMENT AND SIGNIFICANT REDEVELOPMENT STORM WATER MANAGEMENT FACILITIES; and (c) PROPOSED RESOLUTION ADOPTING AND ESTABLISHING PERFORMANCE REQUIREMENTS AND BEST MANAGEMENT PRACTICES TO PREVENT OR MINIMIZE DISCHARGE OF STORM WATER POLLUTANTS AND WATER QUALITY IMPACTS** - Assistant Public Works Director Bob Lossius gave a brief summary.

(A) On motion of Supervisor Brown and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only. (Clerk so did.)

On motion of Supervisor Brown and by vote of the Board (5 ayes), advanced the ordinance to September 11, 2007.

(B) Supervisor Brown offered Resolution 2007-174, establishing rules and regulations governing post construction requirements for new development and significant redevelopment storm water management facilities, and it was passed by roll call vote (5 ayes).

(C) Supervisor Brown offered Resolution 2007-175, adopting and establishing performance requirements and best management practices to prevent or minimize discharge of storm water pollutants and water quality impacts, and it was passed by roll call vote (5 ayes).

10. **ITEM A-11 - REVIEW AND CONSIDERATION OF WHETHER URGENCY INTERIM ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE APPROVAL OF APPLICATIONS TO CONSTRUCT, MODIFY, OR PLACE WIRELESS COMMUNICATION FACILITIES SHOULD BE EXTENDED** - County Counsel Anita Grant gave a brief summary.

On motion of Supervisor Robey and by vote of the Board (5 ayes), directed County Counsel to prepare the report and schedule the Public Hearing for September 11, 2007, for consideration of the extension of the temporary moratorium on the approval of applications to construct, modify, or place wireless communication facilities should be extended.

11. **ITEM A-13 - CLOSED SESSION - 1. Public Employee Performance Evaluation Title: Special Districts Administrator** -

Chair Smith announced the Board would 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 meeting was adjourned at 12:53 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya G. Turner
Assistant Clerk of the Board

