



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 20, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 20<sup>th</sup> day of February, 2007, there being present Supervisors Ed Robey, Denise Rushing, Rob Brown, Anthony Farrington, 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. Following a moment of silence Code Enforcement Manager Voris Brumfield 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-10.

Approved Minutes of the Board of Supervisors meeting held on February 6, 2007.

Adopted proclamation honoring County Historian Ruby Glebe for her dedication to the work of preserving and promoting Lake County's historical resources and her many other contributions to the community.

Adopted proclamation designating the week of February 18-25, 2007, as National Engineers' Week in Lake County.

Approved Fiscal Year 2007/2008 Budget Manual, Budget Forms and Budget Procedures Calendar.

Adopted Resolution No.2007-30, amending Resolution No. 2006-164 to allocate the position of Senior Air Quality Engineer in a flexible series classification with Air Quality Engineer.

Approved written decision in vicious animal abatement appeal (Corrina Morton), and authorized Chair to sign.

Approved Environmental Consultant Agreement between the County of Lake and Christopher A. Joseph & Associates for preparation of an Environmental Impact Report (EIR) for the Cristallago proposal, and authorized the Chair to sign.

Approved Amendment One to Agreement between the County of Lake and Mead & Hunt, Inc., for engineering services for Lampson Field Improvement Projects, and authorized the Chair to sign.

Adopted Resolution No. 2007-31, authorizing the Director, Public Services Department, to sign a Notice of Completion for work performed under agreement dated August 8, 2006 (construction of restroom facilities at Alpine Park in Lucerne and Kelseyville Park in Kelseyville).

Sitting as the Board of Directors of Lake County Air Quality Management District, appointed Walt Wilcox to the Air Quality Management District Hearing Board for a term expiring February 28, 2010.

2. **CITIZEN'S INPUT** - Philip Murphy spoke regarding Genetically Modified Organisms (GMOs) in Lake County.
3. **ITEM A-19 - AUTHORIZATION TO SUBMIT FEDERAL FISCAL YEAR 2008 FUNDING REQUESTS TO SENATOR FEINSTEIN, SENATOR BOXER AND CONGRESSMAN THOMPSON** - County Administrative Officer Kelly Cox gave a brief summary.

This item was continued later in the day.

4. **ITEM A-5 - 9:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 17075 DEER PARK DRIVE, LOWER LAKE (APN 049-103-10-00 - TRAVIS ALLEN)** - Code Enforcement Manager Voris Brumfield was sworn in by the Clerk and relayed a request from Mr. Allen to continue this item until he could attend.

Neither the property owner nor a representative was present.

Chair Smith continued this item until April 10, 2007, at 9:15 a.m.

5. **ITEM A-6 - 9:30 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 6600 LYONS ROAD, LAKEPORT (APN 004-023-06-10 - DOROTHY BUCKNER)** - Code Enforcement Manager Voris Brumfield and Code Enforcement Officer Roderic Hilliard were sworn in by the Clerk.

Neither the property owner nor a representative was present.

Mr. Hilliard stated the owner requested a continuance of this item.

Chair Smith continued this item to March 6, 2007, at 9:30 a.m.

6. **ITEM A-7 - 9:45 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 3750 GARD STREET, KELSEYVILLE (APN 024-101-15-00 - ESTATE OF LAVERN WATERS)** - This item is listed as a Notice of Nuisance Abatement; an Erratum was made to the February 20, 2007 agenda correcting this error as follows:

HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$6,128.77, LOCATED AT 3750 GARD STREET, KELSEYVILLE (APN 024-101-15-00 - ESTATE OF LAVERNE WATERS)

Code Enforcement Manager Voris Brumfield and Code Enforcement Officer Kimberlee Heckard were sworn in by the Clerk.

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Neither the property owner nor a representative was present.

Ms. Heckard gave a power point presentation update on the property.

On motion of Supervisor Brown and by vote of the Board (5 ayes), confirmed the assessment of \$6,128.77 for nuisance abatement on property located at 3750 Gard Street, Kelseyville, and owned by the Estate of Laverne Waters, and directed the Enforcement Official to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of \$6,128.77, pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

7. **ITEM A-8 - 9:50 A.M. - HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$6,128.7, LOCATED AT 12968 4<sup>TH</sup> STREET, CLEARLAKE OAKS, CA (APN 035-392-04-00 - ESTATE OF WALLACE LEER and THERESA LEER)** - Code Enforcement Officer Kimberlee Heckard, Wallace Leer, Carl Copley, and Beverly Bresso, present on behalf of the estate of Wallace and Theresa Leer, were sworn in by the Clerk.

Ms. Heckard gave a power point presentation on the conditions of the property.

Ms. Bresso gave testimony.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 12968 4<sup>th</sup> Street, Clearlake Oaks, California, (APN 035-392-04-00 - Estate of Wallace & Theresa Leer), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property.

8. **ITEM A-22 - Advanced From February 13, 2007 - ORDINANCE ESTABLISHING A PRIMA FACIE SPEED LIMIT ZONE ON RIATA ROAD, COUNTY ROAD NO. 143C, FROM BRIDGE 14C-240 TO CABALLERO COURT (35 MPH) - (SECOND READING)** - Supervisor Farrington offered Ordinance 2815 and it was passed by a roll call vote (5 ayes).

9. **ITEM A-21 - Advanced From February 13, 2007 - ORDINANCE AMENDING CHAPTER THREE OF THE LAKE COUNTY CODE CONCERNING THE COMMERCIAL WEIGHING AND MEASURING DEVICE PROGRAM AND THE ANNUAL REGISTRATION FEES FOR INSPECTION AND TESTING OF WEIGHING AND MEASURING DEVICES - (SECOND READING)** - Supervisor Farrington offered Ordinance 2814 and it was passed by a roll call vote (5 ayes).

10. **ITEM A-9 - 10:00 A.M. - PUBLIC HEARING - PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A REZONE (RZ 05-20) PROPOSED FOR ORCHARD SHORES HOME OWNERS' ASSOCIATION, FROM "R1-MH" (SINGLE-FAMILY RESIDENTIAL-MOBILE HOME) TO "R1-RD" (SINGLE-FAMILY RESIDENTIAL-RESIDENTIAL DESIGN); AND THE ADOPTION OF A NEGATIVE DECLARATION FOR RZ 05-05, BASED ON THE INITIAL STUDY 06-99; THIS PROJECT ENCOMPASSES THE ORCHARD SHORES SUBDIVISION, UNIT 1, LOCATED ALONG ORCHARD SHORES DRIVE, HIGHWAY 20, CLEARLAKE OAKS, CA** - Community Development Director Rick Coel and Senior Planner Penelope Shibley were present.

Ms. Shibley gave a brief summary.

Chair Smith opened the public hearing and Henry Branco spoke. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), found that on the basis of the Initial Study IS 06-99 that the rezoning from "R1-MH" to "R1-RD" applied for by the Orchard Shores Homeowners Association will not have a significant effect on the environment and adopted a negative declaration for the proposed rezoning with the findings listed in the Board Memo dated January 31, 2007.

On motion of Supervisor Rushing 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 Rushing offered Ordinance No. 2816 and it was passed by roll call vote (5 ayes).

11. **ITEM A-10 - 10:15 A.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 3590 PINE DRIVE, KELSEYVILLE (APN 044-143-16-00 - ALAN KAHN)** - Code Enforcement Officer Earl Iddings, Jeffrey Manch, and Robert Chatham were sworn in by the Clerk.

Mr. Eddings gave a power point presentation on the state of the property.

Mr. Chatham and Mr. Manch gave testimony.

On motion of Supervisor Brown and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 3590 Pine Drive, Kelseyville, California, (APN 044-143-16-00 - Alan Kahn), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property.

The board recessed briefly and reconvened at 10:30 a.m.

12. **ITEM A-11 - 10:30 A.M. - DISCUSSION/CONSIDERATION OF REQUEST TO ALLOCATE COUNTY FUNDS IN THE AMOUNT OF \$122,200 FOR EMERGENCY WATER TANK REPLACEMENT - COUNTY SERVICE AREA NO. 22 - MT. HANNAH** - Special Districts Administrator Mark Dellinger and Utility Systems Compliance Coordinator Peggie King were present.

Mr. Dellinger gave a power point presentation on the condition of the water tank.

Chair Smith opened this item for public input and the following people spoke: Joan Moss and Robert Stark. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Brown and approved by the Board (5 ayes), allocated Infrastructure funds in the amount of \$122,200 for the emergency water tank replacement.

13. **ITEM A-12 - 10:50 A.M. - PRESENTATION OF PROCLAMATION HONORING COUNTY HISTORIAN RUBY GLEBE FOR HER DEDICATION TO THE WORK OF PRESERVING AND PROMOTING LAKE COUNTY'S HISTORICAL RESOURCES AND HER MANY OTHER CONTRIBUTIONS TO THE COMMUNITY** - Supervisor Brown read the Proclamation into the record.

Ms. Glebe and many of her supporters were present.

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14. **ITEM A-13 - 11:00 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE WEEK OF FEBRUARY 18-25, 2007, AS NATIONAL ENGINEERS' WEEK IN LAKE COUNTY** - Supervisor Rushing read the Proclamation into the record.

The proclamation was presented to Public Works Director Gerry Shaul who commended the engineers of Lake County.

15. **ITEM A-14 - 11:15 A.M. - UPDATE ON THE CLEARLAKE OAKS COMMUNITY RECOVERY TASK PROPOSED REORGANIZATION** - Community Development Director Rick Coel and Code Enforcement Manager Voris Brumfield were present.

Mr. Coel gave an update on the task force plans to reorganize.

Chair Smith asked if there was anyone present wishing to speak and Sheriff Mitchell spoke. No one else was present wishing to speak and the public portion of this item was closed.

There was no board action taken on this item.

16. **ITEM A-20 - CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND THE LAKE COUNTY ARTS COUNCIL FOR THE PURPOSE OF PROVIDING FUNDING TO THE SOPER REESE COMMUNITY THEATER RENOVATION PROJECT** - County Administrative Officer Kelly Cox gave a brief summary.

Chair Smith asked if there was anyone present wishing to speak and Thomas Wall spoke. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Brown NO), approved the Agreement between the County of Lake and the Soper Reese Community Theater Renovation Project for funding in the amount of \$30,000, and authorized the Chair to sign.

17. **ITEM A-15 - 11:30 A.M. - DISCUSSION OF ENFORCEMENT OF INSECTICIDE CONTAMINATION PREVENTION REGULATION** - Agricultural Commissioner Steve Hajik gave a brief summary.

Chair Smith asked if there was anyone present wishing to speak and the following people spoke: Chuck March, Brock Zoller, Victoria Brandon and Donna Christopher. No one else was present wishing to speak and the public portion of this item was closed.

There was no board action taken on this item.

18. **ITEM A-16 - 11:55 A.M. - CONSIDERATION OF REQUEST FOR WAIVER OF THE \$200 PROCESSING FEE FOR RENAMING STREETS IN THE NOBLE RANCH SUBDIVISION, LOCATED SOUTH OF LOWER LAKE** - Supervisor Robey gave a brief summary.

Chair Smith asked if there was anyone present wishing to speak and the following people spoke: Lake County Fire Protection District Assistant Chief Bud Moore and Lake County Fire Protection District Fire Chief Jim McMurray.

On motion of Supervisor Robey and by vote of the Board (5 ayes), waived the \$200.00 fee for renaming streets in the Noble Ranch subdivision and three neighboring areas south of Lower Lake.

The board recessed briefly and reconvened at 1:37 p.m.

19. **ITEM A-17 - 1:30 P.M. - HEARING - NOTICE OF NUISANCE ABATEMENT - 9847 WITTER SPRINGS ROAD, WITTER SPRINGS (APN 003-029-11-00 - LILA BENNETT)** - Code Enforcement Manager Voris Brumfield, Code Enforcement Officer Roderic Hilliard, Gail Bennett and Byron Zollo were sworn in by the Clerk.

Ms. Brumfield gave a brief update on the conditions of the property.

Ms. Bennett and Mr. Zollo gave testimony.

Chair Smith asked if there was anyone present wishing to speak and Paul Redding asked a question of Ms. Bennett.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), adopted the amended order to complete abatement of the nuisance on property located at 9847 Witter Springs Road, Witter Springs, California, (APN 003-029-11-00 - Lila Bennett), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property.

- BACK TO #3 - ITEM A-19 - AUTHORIZATION TO SUBMIT FEDERAL FISCAL YEAR 2008 FUNDING REQUESTS TO SENATOR FEINSTEIN, SENATOR BOXER AND CONGRESSMAN THOMPSON** - Special Services Director Mark Dellinger and Assistant Public Works Director Bob Lossius were present.

On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Brown NO), authorized submission of the Appropriation Request Forms prepared by Public Works to the offices of Senator Feinstein and Senator Boxer and ratified submission to Congressman Thompson's office.

On motion of Supervisor Robey and by vote of the Board (5 ayes), authorized submission of the Appropriation Request Forms prepared by Special Districts to the offices of Senator Feinstein and Senator Boxer and ratified submission to Congressman Thompson's office.

On motion of Supervisor Robey and by vote of the Board (5 ayes), directed staff to draft a letter to the offices of Senator Feinstein and Senator Boxer and Congressman Thompson, requesting appropriation for system upgrades for two facilities currently at capacity: Spring Valley CSA #2 and CSA #21 in North Lakeport.

20. **ITEM A-23 - CLOSED SESSION** - 1. Conference with Labor Negotiator (a) County Negotiators: A. Grant and M. Perry (b) Employee Organization: LCCOA; and 2. Public Employee Performance Evaluation: Title: Registrar of Voters - Chair Smith announced the Board would now go into Closed Session for reasons stated in the agenda.

The Board reconvened into Regular Session with no action taken.

There be no further business, the Board adjourned at 5:11 p.m.

**OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD FEBRUARY 20, 2007**

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Mireya G. Turner  
Assistant Clerk of the Board