



MINUTES

County of Lake

Board of Supervisors

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 23, 2007

The Honorable Board of Supervisors of Lake County, California, met in Regular Session this 23rd day of October 2007, there being present Supervisors Ed Robey, Denise Rushing, Anthony Farrington, Rob Brown, and 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, Supervisor Farrington led the salute to the flag of the United States of America.

1. **ITEM A-16 - CLOSED SESSION** - 1. Conference with Labor Negotiator (a) County Negotiators : A. Grant, R. Lambert and M. Perry (b) Employee Organization: LCEA and SDA 2. Sitting as the Board of Directors of the Lake County IHSS Public Authority: Conference with Labor Negotiator: (a) Agency Negotiator: F. Buchanan (b) Employee Organization: United Domestic Workers of America - David Smith spoke. Chair Smith announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 9:40 a.m. with no action taken.

2. **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-9.

Appointed Michael Tabacchi to the Middletown Area Town Hall as a Municipal Advisory Board (MATH) for a term expiring on January 1, 2009.

Adopted Proclamation designating the month of October 2007, as Domestic Violence Awareness Month in Lake County.

Sitting as the Board of Directors of the Lake County Air Quality Management District, approved District/State Air Resources Board Subvention Application for Fiscal Year 2007/2008 and Fiscal Year 2006/2007 Final Financial Report, and authorized Air Pollution Control Officer to sign and submit application and report to the State Air Resources Board.

Sitting as the Board of Directors of the Lake County Sanitation District, approved Mainline Extension Agreement between the Lake County Sanitation District and Dave Burns to extend a sewer mainline to service APN 042-281-35, and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Sanitation District, accepted Dedication and Conveyance of Mainline Sewer Extension, for public utility purposes, Pamela Williams 16088, 16098, 16112 and 16182 43rd Avenue, Clearlake (APNs 041-265-69, 041-265-70, 041-266-53 and 041-266-55) and directed Clerk to certify for recordation.

Sitting as the Board of Directors of the Lake County Watershed Protection District, Adopted Resolution No. 2007-209, authorizing Lake County Watershed Protection District to file the grant application for the Highland Springs Recreation Area Trails Plan.

Sitting as the Board of Directors of the Lake County Watershed Protection District, Adopted Resolution No. 2007-210, authorizing the Director, Public Works Department, to sign a notice of completion for work performed under agreement dated July 10, 2007 (Clover Creek Diversion Weir Modification Project).

Sitting as the Board of Directors of the Lake County Watershed Protection District, Adopted Resolution No. 2007-211, authorizing the Director, Public Works Department, to sign a notice of completion for work performed under agreement dated August 13, 2007 (demolition project at 1350 Reclamation Cutoff Road, 1370 Reclamation Cutoff Road and 1405 Reclamation Cutoff Road).

Sitting as the Board of Directors of the Lake County Watershed Protection District, Adopted Resolution No. 2007-212, authorizing the Director, Public Works Department, to sign a notice of completion for work performed under agreement dated August 17, 2007 (well destruction project at various locations in Upper Lake).

3. **CITIZEN'S INPUT** - Lawrence Ratcliffe spoke regarding Public Guardian neglect.

4. **ITEM A-3 - CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS -**

Change Order No. One (1) for Animal Care & Shelter Facility Phase 1 Improvements - This change order reflects the Phase 1 contractor (Rege Construction) performing work that had been specified to be done by the Phase 2 contractor (REM Construction) -

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved Change Order No. 1, for a total increase of \$14,839.60, Rege Construction, and authorized the Chair to sign.

5. **ITEM A-4 - 9:15 A.M. - PUBLIC HEARING - PROTEST HEARING FOR THE PROPOSED ESTABLISHMENT OF CSA 23 - "ZONE N" (MEADOW ESTATES) AND LEVY OF ASSESSMENTS** - Public Works Director Gerry Shaul and Service Technician Cara Bowin were present.

Mr. Shaul gave a brief summary.

Chair Smith opened the public hearing and the following people spoke: Robert Stark and Jeremiah Desatko. No one else was present wishing to speak and the public hearing was closed.

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Staff will return with a final ballot tabulation on November 6, 2007.

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

6. **ITEM A-5 - 9:30 A.M. - PUBLIC HEARING - PURCHASE OF REAL PROPERTY CONSISTING OF LAND LOCATED IN CLEARLAKE OAKS AT THE FOLLOWING ADDRESS: 75 LAKE STREET (APN 035-231-49); THE AGREED PURCHASE PRICE IS \$560,000; THE SELLER IS JOHN KLAUS** - Deputy Redevelopment Director Eric Seely gave the staff summary.

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

On motion of Director Rushing and by vote of the Board (5 ayes), approved the purchase of real property consisting of land located in Clearlake Oaks at the following address: 75 Lake Street (APN 035-231-49 - John Klaus); for a total amount of \$560,000, and authorized the Chair to sign the purchase agreement.

Director Rushing offered Resolution No. 2007-213, accepting conveyance of real property located in Clearlake Oaks, California, and it was passed by roll call vote (5 ayes).

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

7. **ITEM A-6 - 9:45 A.M. - PUBLIC HEARING - CONSIDERATION OF APPROVAL OF A LOT LINE ADJUSTMENT (LLA 06-18) AMONG THREE PARCELS (FOUR ASSESSOR PARCEL NUMBERS) UNDER ONE LAND CONSERVATION CONTRACT; RESCINDING OF THE ONE LAND CONSERVATION CONTRACT; AND APPROVAL OF ONE LAND CONSERVATION PROPOSED FOR CHARLES FOWLER, LOCATED AT 9250 AND 9100 ADOBE CREEK ROAD, KELSEYVILLE, CA (APNs 011-003-52-00 and 011-003-51-00); and ONE LAND CONSERVATION CONTRACT PROPOSED FOR TOM MACOMBER and ANNA MACOMBER, LOCATED AT 9780 and 9300 ADOBE CREEK ROAD, KELSEYVILLE, CA (APNs 011-003-13-00 and 011-003-50-00)** - Community Development Director Rick Coel and Assistant Planner II Shelley Mills were present.

Ms. Mills presented the staff summary.

Chair Smith 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 this Lot Line Adjustment and Williamson Act Contract rescission and replacement are exempt from CEQA because they fall within Categorical Exemption Class 5 and Class 17, respectively.

Supervisor Brown offered Resolution No. 2007-214, approving lot line adjustment LLA06-18 and rescinding and simultaneously entering into two new Williamson Act contracts, and it was passed by roll call vote (5 ayes).

8. **ITEM A-7 - 10:00 A.M. - DISCUSSION/CONSIDERATION OF REQUEST FOR TEMPORARY REDUCTIONS TO GREENWASTE COLLECTION SCHEDULES IN THE UNINCORPORATED AREAS OF LAKE COUNTY DURING THE MONTHS OF DECEMBER, JANUARY AND FEBRUARY** - Public Services Director Kim Clymire and Deputy Public Works Director Caroline Chavez were present.

Ms. Chavez gave a brief summary.

Chair Smith asked if there was anyone present wishing to speak and Donna Christopher 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 temporary reductions to greenwaste collection schedules in the unincorporated areas of Lake County during the months of December, January and February.

9. **ITEM A-15 - Advanced From October 16, 2007 - ORDINANCE ESTABLISHING CONSTRUCTION TRAFFIC ROAD FEES TO AMELIORATE THE DAMAGE DONE TO COUNTY ROADS AS A RESULT OF CONSTRUCTION ACTIVITY - (SECOND READING)** - Supervisor Brown offered Ordinance No. 2842, establishing construction traffic road fees to ameliorate the damage done to County roads as a result of construction activity, and it was passed by roll call vote (5 ayes).

10. **ITEM A-13 - PROPOSED FINDINGS AND DECISION IN THE APPEAL OF WALTER SCHLICHER (AB 07-01 - TO ALLOW ALTERNATIVE PEDESTRIAN AND DRAINAGE IMPROVEMENTS IN LIEU OF CURB, GUTTER AND SIDEWALK ALONG KONOCTI ROAD IN CONJUNCTION WITH A PREVIOUS APPROVED SUBDIVISION MAP - KAYLEE COURT)** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved the Findings of Fact, and authorized the Chair to sign.

On motion of Supervisor Robey and by vote of the Board (5 ayes), granted the appeal in part to allow the following alternative to the road improvement requirements of curb, gutter, and sidewalks of the property frontage on Konocti Road: The construction of sidewalk from the end of the cul de sac of the Apellant's property, along the Northwest property line to Konocti Road, including a connection to the school driveway if permitted by the school.

11. **ITEM A-12 - PROPOSED ORDINANCE AMENDING CHAPTER 4 OF THE LAKE COUNTY CODE ESTABLISHING FEES FOR DOG AND CAT LICENSING, REDEMPTIONS AND OTHER SERVICES PROVIDED BY LAKE COUNTY ANIMAL CARE AND CONTROL (INCREASING FEES AND ESTABLISHING NEW FEES)** - Animal Control Director Denise Johnson and Program Manager Paula Werner were present.

Ms. Johnson presented the staff summary.

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).

On motion of Supervisor Rushing and by vote of the Board (5 ayes), advanced the ordinance two weeks to November 6, 2007.

After a brief recess, the Board reconvened at 10:35 a.m.

12. **ITEM A-8 - 10:30 A.M. - DISCUSSION/REQUEST FOR DIRECTION REGARDING ARCHITECTURAL STANDARDS/DESIGNS OF CARPORTS** - Community Development Director Rick Coel and Code Enforcement Manager Voris Brumfield were present.

Ms. Brumfield presented the staff report.

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Chair Smith opened the item for public input and the following people spoke: Donna Christopher, Doris Creer, Jerry Boller, Lee Jackson, Rich Davis, Leroy Dubrall, Joan Moss, Bonnie Goselin, Frank Gillespie, Magnolia Hanson and Don Greer. No one else was present wishing to speak and the public portion of this item was closed.

The Board directed staff to postpone all code enforcement actions related to carports while Supervisor Brown and Supervisor Robey work with Code Enforcement Manager Voris Brumfield to seek further clarification on this issue.

13. **ITEM A-9 - 11:00 A.M. - (a) REPORT OF THE STATUS OF DOMESTIC VIOLENCE SERVICES PROVIDED WITHIN THE COUNTY; and (b) PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF OCTOBER 2007, AS DOMESTIC VIOLENCE AWARENESS MONTH IN LAKE COUNTY** - Lake Family Resource Center Chief Executive Officer Gloria Flaherty gave a presentation on the status of domestic violence services provided within the County.

Supervisor Rushing read the Proclamation into the record and presented it to Lake Family Resources Program Director Janine Smith-Citron, who spoke. District Attorney Jon Hopkins also spoke.

14. **ITEM A-10 - 11:30 A.M. - PUBLIC HEARING - CONSIDERATION OF A MORATORIUM ON THE APPROVAL OF APPLICATIONS TO CONSTRUCT, MODIFY, OR PLACE WIRELESS COMMUNICATION FACILITIES IN LAKE COUNTY** - Community Development Director Rick Coel gave a brief summary.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Joan Moss and Tiffany Revelle. No one else was present wishing to speak and the public portion of this item was closed.

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. 2843, an urgency measure adopting an interim ordinance extending a temporary moratorium on the approval of applications to construct, modify, or place wireless communication facilities, and it was passed by roll call vote (5 ayes).

The Board of Supervisors adjourned and convened as the Board of Directors of LACOSAN and the Board of Directors of Kelseyville County Waterworks District No. 3.

15. **ITEM A-14 - PROPOSED RESOLUTION APPROVING THE SEWER MANAGEMENT DEVELOPMENT PLANS AND SCHEDULE AND AUTHORIZING THE SPECIAL DISTRICTS ADMINISTRATOR AND STAFF TO COMPLETE THE PLANS AS REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD ORDER NO. 2006-0003 - STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS** - Special Districts Administrator Mark Dellinger presented the staff report.

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

Director Farrington offered Resolution No. 2007-215, approving the SSMP development plans and schedule and authorizing the Special Districts Administrator and staff to complete the plans as required by the State Water Resources Control Board Order No. 2006-0003-Statewide General Waste Discharge Requirements (WDR) for sanitary sewer systems (LACOSAN), and it was passed by roll call vote (5 ayes).

Director Farrington offered Resolution No. 2007-216, approving the SSMP development plans and schedule and authorizing the Special Districts Administrator and staff to complete the plans as required by the State Water Resources Control Board Order No. 2006-0003-statewide General Waste Discharge Requirements (WDR) for sanitary sewer systems (Kelseyville County Waterworks District No. 3), and it was passed by roll call vote (5 ayes).

The Board of Directors of LACOSAN and the Board of Directors of Kelseyville County Waterworks District No. 3 adjourned and reconvened as the Board of Supervisors.

There being no further business, the Board adjourned at 12:30 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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