



# MINUTES

## COUNTY OF LAKE

### BOARD OF SUPERVISORS

#### OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JANUARY 20, 2009

The Honorable Board of Supervisors of Lake County, California, met in regular session this 20<sup>th</sup> day of January, 2009, there being present Supervisors Jim Comstock, Jeff Smith and Rob Brown, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner. Supervisors Denise Rushing and Anthony Farrington were absent all day.

The meeting was called to order at 9:06 a.m. by Chair Brown. Following a moment of silence Chair Brown 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 (3 ayes, Supervisors Rushing and Farrington ABSENT), approved Consent Agenda Items C-1 through C-10, with the exception of C-2. Consent Agenda Item C-2 will be carried over one week, to January 27, 2009, at 9:30 a.m.

Approved Minutes of the Board of Supervisors meeting held on January 6, 2009.

Authorized the Chair to sign the California Department of Education Certification Statement regarding the composition of the Lake County Child Care and Development Planning Council membership.

Approved Agreement between the County of Lake and the City of Lakeport for County financial contribution toward the operation of Westshore pool in the amount of \$5,000 and authorized the Chair to sign.

Approved Indemnity Agreement between the County of Lake and Geysers Power Company for a waterline along Socrates Mine Road (release of County liability if waterline should become damaged), and authorized the Chair to sign.

Approved waiver of the Construction Impact Fees in the amount of \$95.00, for construction of a covered outdoor structure at Kelseyville Cemetery.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-021-01 - Gertrude Wooldridge and Robert Wooldridge), and approved Purchase Agreement between the County of Lake and Gertrude Wooldridge and Robert Wooldridge for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorized the Chair to sign.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of Meadow Drive - Gary Smith), and approved Purchase Agreement between the County of Lake and Gary Smith for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorized the Chair to sign.

Accepted dedication and conveyance of mainline water extension for purpose of providing water service to property located at 12590 Ridge Road, Cobb (APN 011-0510051 - Nick Voegtly), authorized the Chair to sign and directed Clerk to certify for recordation.

Approved plans and specifications for the Lakeport Intertie Project (County Service Area No. 21 - North Lakeport Water), and authorized the Special Districts Administrator to advertise for bids.

**CITIZEN'S INPUT** - Animal Care and Control Officer Eric Wood presented one canine currently available for adoption.

2. **ITEM A-11 - Advanced from January 13, 2009 - An Ordinance establishing annual payments for Lakebed Encroachment Permits and Annual Lease Fees - (Second Reading)** - Supervisor Smith offered Ordinance No. 2885, and it was passed by roll call vote (3 ayes, Supervisors Rushing and Farrington ABSENT).

3. **ITEM A-4 - 9:15 A.M. - PUBLIC HEARING - Planning Commission's recommendations for approval of proposed amendments to the Lake County Zoning Ordinance pertaining to bed and breakfast inns, detached granny units and creating a new category of off-site signage for certain shopping centers and business districts** - Community Development Director Rick Coel presented the staff report.

On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), waived the reading of the ordinance, and had it read in title only. (Clerk so did.)

On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), advanced the ordinance one week, to January 27, 2009.

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

4. **ITEM A-5 - 9:45 A.M. - PUBLIC HEARING - Planning Commission's recommendation for approval of a one (1) year time extension of the Vintage Faire General Plan of Development for applicant De Nova Homes; project is located at 20740 and 20830 State Highway 29, Middletown, CA (APNs 014-430-07 and 014-430-09)** - Community Development Director Rick Coel presented the staff report.

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

On motion of Supervisor Comstock and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), found that the Mitigated Negative Declaration, which was previously prepared for GPD 04-02 does meet the requirements of Section 15162(a) of the CEQA Guidelines, and that no additional environmental review need be prepared with the findings listed in the memo dated December 26, 2008.

On motion of Supervisor Comstock and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), approved an extension of time for the Vintage Faire General Plan of Development (GPD 04-04) for a period of one-year to November 15, 2009, with the findings listed in the memo dated December 26, 2008.

5. **ITEM A-6 - 10:00 A.M. - PUBLIC HEARING - Discussion/consideration of transferring Community Development Block Grant (CDBG) Program Income money from the Business Expansion and Retention Revolving Loan Fund to finance other projects as follows: (1) Curb, gutter and sidewalk projects in the Northshore Redevelopment Project Area; and (2) Historic Lucerne Hotel Mixed Use Feasibility Study** - Chief Deputy County Administrative Officer Matt Perry presented the staff report.

Chair Brown opened the public hearing and Donna Christopher spoke. No one else was present wishing to speak and the public hearing was closed.

Supervisor Smith offered Resolution No. 2009-07, increasing the amount of Community Development Block Grant Program income transferred from the Business Expansion and Retention Revolving Loan Fund to finance curb, gutter and sidewalk projects in the Northshore Redevelopment Project area, and it was passed by roll call vote (3 ayes, Supervisors Rushing and Farrington ABSENT).

Supervisor Smith offered Resolution No. 2009-08, approving the transfer of Community Development Block Grant Program income from the Business Expansion and Retention Revolving Loan Fund and committing said monies to the Historic Lucerne Hotel Mixed Use Feasibility Study, and it was passed by roll call vote (3 ayes, Supervisors Rushing and Farrington ABSENT).

Supervisor Smith offered Resolution No. 2009-09, amending Resolution 2008-152, to amend the FY 2008-09 Final Budget for Budget Units 1796, 1891 and 1892 to increase the amount of Community Development Block Grant Program income committed to Special Projects, and it was passed by roll call vote (3 ayes, Supervisors Rushing and Farrington ABSENT).

6. **ITEM A-10 - (a) Consideration of recommendation for award of Bid No. 09-20 for 4<sup>th</sup> through 5<sup>th</sup> Lucerne Sidewalk Improvement Project; and (b) Consideration of proposed Agreement for construction inspection services for Lucerne Sidewalk Improvement Project** - Deputy Redevelopment Director Eric Seely presented the staff report

(a) On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), awarded Bid No. 09-20, Sidewalk Improvement Project, Lucerne, FEDCO Construction, Inc., in the amount of \$128,899.15, and authorized the Chair to sign the agreement.

(b) On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), approved the Agreement for construction inspection services for Lucerne Sidewalk Improvement Project, Ruzicka Associates, in the amount of \$20,000, and authorized the Chair to sign.

After a brief recess, the Board reconvened at 10:33 a.m.

7. **ITEM A-7 - 10:30 A.M. - (a) Appointment of District 1 Lake County Planning Commissioner and administer Oath of Office; and (b) Consideration of applications from members of the public for appointment to miscellaneous Lake County committees, commissions and advisory boards** - (b) On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), appointed Susan Cannon to the Animal Control Advisory Board, for a term expiring January 1, 2011.

On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), appointed John Gaffney to the Emergency Medical Care Committee, for a term expiring January 1, 2010.

On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), appointed Richard Hinchcliff and Bobby Dutcher to the Fish and Wildlife Advisory Committee, for a term expiring January 1, 2011. At the request of Supervisor Comstock, the applications of Jonathan Ambrose and Roland Ledoux were carried over one week, to January 27, 2009.

On motion of Supervisor Comstock and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), appointed DeWitt Bouker to the Heritage Commission, for a term expiring January 1, 2011.

(a) On motion of Supervisor Comstock and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), appointed Michael Van Der Boon to the Planning Commission, District 1. County Clerk Pam Cochrane administered the Oath of Office to Mr. Van Der Boon.

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

8. **ITEM A-8 - Continued from May 6, June 3, July 15, August 12, September 23, and October 28, 2008 - 11:00 A.M. - PUBLIC HEARING - Appeal of Ronald Jacobs (AB 08-03 of the Planning Commission's decision to grant the appeal of Erik Thorsen, Trustee, Edgar F. Thorsen Trust, regarding the issuance of a Lakebed Encroachment Permit and supporting California Environmental Quality Act (CEQA) Notice of Exemption to Ronald Jacobs for the construction of pier/covered deck/gangway/suspended platform/covered electric boat lift; project located at 1925 Westlake Drive, CA (APN 044-171-18 - Erik Thorsen, Trustee, Edgar F. Thorsen Trust)** - Chair Brown opened the public hearing. No one was present wishing to speak and the public hearing was closed.

On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Rushing and Farrington ABSENT), dismissed the appeal of Ronald Jacobs, without prejudice.

There being no further business, the Board adjourned at 11:10 a.m.

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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

