

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JULY 27, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 27th day of July, 2010 there being present Supervisors Jeff Smith, Denise Rushing, Rob Brown and Jim Comstock, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner. Supervisor Farrington was absent all day.

The meeting was called to order at 9:04 a.m. by Vice Chair Comstock. Following a moment of silence, Health Services Director Jim Brown led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF THE CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved Consent Agenda items C-1 through C-8, with the exception of C-3, and with an amendment to Consent Agenda Item C-6. Consent Agenda Item C-3 was carried over one week, to August 3, 2010, at 9:10 a.m.

Approved Minutes of the Board of Supervisors meeting held on July 13, 2010.

Adopted Resolution No. 2010-131, authorizing the Commitment of monies paid through the Chapter 11 Bankruptcy Plan in the matter of In Re Boeger Land Development to improvements to the North Lakeport Water System.

Approved Amendment to Facility Space License Agreement between the County of Lake and Jesus Christ Fellowship on Buckingham Tower, and authorized the Chair to sign.

Approved Rental Agreement between the County of Lake and Lake Aero Styling and Repair for a metal storage hangar at Lampson Field Airport (for a monthly rate of \$300 per month), and authorized the Chair to sign.

Adopt Resolution No. 2010-133, as amended, authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated June 8, 2010 (Soda Bay Road MPM 7.68-7.70 Storm Damage Repair Project in Lake County, CA Federal Project No. ER 4402(001), (Bid No. 10-36).

(a) Approved Subvention Certificate of Compliance with the California department of Veterans Affairs (CDVA) for County Subvention Program for Fiscal Year 2010/2011, and authorized the Chair to sign; and (b) Approved Medi-Cal Certificate of Compliance with the California Department of Veterans Affairs (CDVA) for Medi-Cal Cost Avoidance Program for Fiscal Year 2010/2011, and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Watershed District, Adopted Resolution No. 2010-132, authorizing the Director of Water Resources to apply for Federal assistance administered by the California Emergency Management Agency and to provide assurances and agreements required.

CONSENT AGENDA ITEM C-3 - Approve Lake Transit Authority's proposal to relocate the Third Street bus stop to the southwest corner of Third Street at Main Street, Lakeport, per the request and recommendation from Mark Wall, dated July 16, 2010. - At Mr. Wall's request, this item was carried over one week, to August 3, 2010, at 9:10 a.m.

CITIZEN'S INPUT - Monica Rosenthal gave a brief update on the Lake County Wine Adventure.

Tom Slight spoke regarding the Air Quality Management District budget.

2. **ITEM A-5 - 9:15 A.M. - Presentation by Lake County Health Officer Karen Tait, M.D., regarding the Syringe Exchange Program** - Health Services Director Jim Brown and Health Officer Karen Tait, M.D. were present.

Dr. Tait gave the presentation to the Board.

This item was informational only. No Board action was taken on this item.

3. **ITEM A-6 - 9:30 A.M. - Presentation of the annual report by the Lake County Heritage Commission** - Public Services Director Kim Clymire and Heritage Commission member John Parker, PhD were present.

Dr. Parker gave the power point presentation to the Board.

This item was informational only. No Board action was taken on this item.

4. **ITEM A-7 - 9:45 A.M. - Request for Board direction regarding possible amendments to the Lake County Zoning Ordinance concerning wine tasting facilities, agricultural service establishments, green waste composting facilities, farmers markets, commercial stables and riding academies, cargo containers, "R3" revisions for housing element consistency and zoning clearance and zoning permit revocation** - Community Development Director Rick Coel, Deputy Administrative Officer Economic Development Debra Sommerfield and Agricultural Commissioner Steve Hajik were present.

Mr. Coel presented the staff report.

Vice Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Dave Morin, Chuck March, Rick Gunier, Vincent Price, Frank Perez and Monica Rosenthal. No one else was present wishing to speak and the public input portion of this item was closed.

1) Wine Tasting Facilities - After lengthy discussion, the Board approved a staff recommendation to appoint a committee comprised of Farm Bureau Executive Director Chuck March, Winery Association Executive Director Monica Rosenthal, Deputy Administrative Officer Marketing and Economic Development Debra Sommerfield, and Community Development Director Rick Coel, to prepare a recommendation relative to winery-related special events and bring the recommendation back to the Board as soon as possible. The Board was supportive in concept of Mr. Coel's proposal to amend the zoning ordinance, but also desired to further define what constitutes a special event at a wine tasting or winery facility.

After a brief recess, the Board reconvened into Regular Session at 10:26 a.m.

2) Agricultural Service Establishments - There was Board consensus to direct staff to move forward with recommendations as stated in the staff memorandum dated July 15, 2010.

3) Green Waste Composting Facilities - There was Board consensus to direct staff to move forward with recommendations as stated in the staff memorandum dated July 15, 2010.

4) Farmers Markets - There was Board consensus to direct staff to move forward with recommendations as stated in the staff memorandum dated July 15, 2010, with the addition of the term "Certified Farmers Market" to be used to describe the Farmers Markets allowed in the Agricultural zoning district.

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5) Commercial Stables and Riding Academies - There was Board consensus to direct staff to move forward with recommendations as stated in the staff memorandum dated July 15, 2010.

6) Cargo Containers - There was Board consensus to direct staff to move forward with recommendations as stated in the staff memorandum dated July 15, 2010.

7) "R3" Revisions for Housing Element Consistency - There was Board consensus to direct staff to move forward with recommendations as stated in the staff memorandum dated July 15, 2010.

8) Zoning Clearance and Zoning Permit Revocation - There was Board consensus to direct staff to move forward with recommendations as stated in the staff memorandum dated July 15, 2010.

5. **ITEM A-8 - 10:15 A.M. - HEARING - Summary Abatement - 19214 Moon Ridge Road, Hidden Valley Lake, CA (APN 141-352-140 - Daniel Darnell)** - Community Development Director Rick Coel and Code Enforcement Officer Roderic Hilliard were present.

Mr. Hilliard gave a power point presentation to the Board regarding the summary abatement actions taken on the property.

This item was informational only. No Board action was taken on this item.

The Board of Supervisors adjourned and convened as the Lake County Local Board of Equalization.

6. **ITEM A-10 - 11:30 A.M. - Assessment Appeal Hearings:**

James and Lorie Harris - Application No. 176-2009 - APN 141-722-060-000 located at 19837 Bear Valley Road, Hidden Valley Lake, CA - Assessor-Recorder Doug Wacker and Chief Deputy Assessor-Recorder Jim Campbell were sworn in by the Clerk.

Neither the owners nor representation were present.

On motion of Member Brown and by vote of the Board 9 (4 ayes, Member Farrington ABSENT), denied the appeal.

The Lake County Local Board of Equalization adjourned and reconvened as the Board of Supervisors.

7. **ITEM A-9 - 10:30 A.M. - (a) Presentation of the Clear Lake Advisory Committee Quarterly Report; and (b) Discussion/consideration of proposed bylaw revision regarding Committee membership categories** - Water Resources Director Scott DeLeon and Clear Lake Advisory Committee Chair Melissa Fulton were present.

(a) Ms. Fulton presented the quarterly report to the Board.

This item was informational only. No Board action was taken on this item.

(b) Vice Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Joan Moss and Betsy Cawn. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to direct Administrative staff to draft letters to the Tribal Council Chairs of the Elem Indian Colony, Big Valley Band of Pomo Indians, Habemotolel Pomo of Upper Lake and Robinson Rancheria Citizens Business Council, requesting their input regarding Committee Tribal representation, and authorized the Vice Chair to sign the letters.

8. **ADDENDUM A-1 - 11:15 A.M. - Consideration of request for Geothermal Mitigation/AB1905 funds for water tank improvements in Anderson Springs** - Anderson Springs Community Service District Manager Meriel Medrano presented a brief summary to the Board.

Vice Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Joan Clay, Brian Carruthers and Dave Jackson. No one else was present wishing to speak and the public input portion of this item was closed.

Board members expressed conceptual support of contributing to the project, noting that a decision would be made during budget hearings, depending upon the availability of revenue for this purpose.

After a brief recess, the Board reconvened into Regular Session at 12:40 p.m.

9. **ITEM A-13 - Discussion/consideration of request to authorize staff to accept donations from the public to be used toward Highland Springs Trail Improvements** - Supervisor Brown introduced this item.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized Water Resources staff to accept donations from the public to be used toward Highland Springs Trail Improvements.

10. **ITEM A-12 - Discussion/consideration of proposed First Amendment to the Agreement between County of Lake and R. Gary Hicks, LLC, for consulting services regarding the condition of County maintained roads located in the Clearlake Keys subdivision (not to exceed \$17,000)** - On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the First Amendment to the Agreement between County of Lake and R. Gary Hicks, LLC, for consulting services regarding the condition of County maintained roads located in the Clearlake Keys subdivision (not to exceed \$17,000), and authorized the Chair to sign.

11. **ITEM A-16 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert, M. Perry and J. Hammond; and (b) Employee Organization: DSA AND LCCOA** - Vice Chair Comstock announced there was no pending business to consider in Closed Session today.

There being no further business, the Board adjourned at 12:49 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya Turner
Assistant Clerk of the Board