

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 26, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 26th day of October, 2010 there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Rob Brown and Anthony Farrington, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:03 a.m. by Chair Farrington. Following the moment of silence, County Administrative Officer Kelly Cox 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 (5 ayes), approved Consent Agenda items C-1 through C-5.

Approved Minutes of the Board of Supervisors meetings held on October 12, 2010.

Adopted Proclamation designating the week of October 19-26, 2010 as Childhood Lead Poisoning Prevention Week in Lake County.

Adopted Resolution No. 2010-193, revising the Fiscal Year 2010-11 Adopted Budget to provide interim financing from the General Fund to Fund 141 for the AODS Contract with the Lake County Community Action Agency.

Adopted Resolution No. 2010-194, declaring intent to vacate portions of roadways, Washington Street (County Road No. 117L) and Douglas Street (County Road No. 117E), in the County of Lake and set the Public Hearing for November 16, 2010, at 9:30 A.M.

Adopted Resolution No. 2010-195, of Intention to change the name of a portion of an existing road in the County of Lake (Osprey Court) and set the Public Hearing for November 16, 2010 at 9:45 A.M.

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Ben Cheek present one canine currently available for adoption.

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

3. **ITEM A-20 - Update on emergency action taken October 12, 2010, regarding roofing repairs at the Lucerne Hotel** - Deputy Redevelopment Director Eric Seely presented the staff report.

On motion of Director Rushing and by vote of the Board (5 ayes), determined an emergency exists.

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

4. **ITEM A-13 - Consideration of appointments to various advisory boards** - No Board action was taken on this item.

5. **ITEM A-14 - Consideration of appointments of a director and alternate to the California State Association of Counties (CSAC) Board of Directors for 2011** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Supervisor Farrington to the California State Association of Counties Board of Directors for 2011, with Supervisor Comstock as Alternate.

6. **ITEM A-5 - 9:15 A.M. - Presentation of Proclamation designating the week of October 19-26, 2010, as Childhood Lead Poisoning Prevention Week in Lake County** - Supervisor Rushing read the proclamation into the record and presented it to County Health Officer Karen Tait, MD, and Easter Seals Representative Catherine Rose, who spoke.

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Sanitation District.

7. **ITEM A-15 - Advanced from October 19, 2010 - Consideration of proposed Ordinance amending the charges and fees for Southeast Regional Wastewater System (SECOND READING)** - A modification was made to the ordinance regarding the effective date.

On motion of Director Smith and by vote of the Board (5 ayes), waived the reading of the ordinance, as amended, to be read in title only. (Clerk so did).

On motion of Director Smith and by vote of the Board (5 ayes), advanced the ordinance one week, to November 2, 2010.

The Board of Directors of the Lake County Sanitation District adjourned and reconvened as the Board of Supervisors.

8. **ITEM A-17 - Update on the Alternative Selection Process for construction related activities** - Assistant Public Works Director Lars Ewing presented the staff report.

There was Board consensus to direct staff to do the following:

(a) extend the Alternative Selection Process for construction related activities until December 31, 2011;

(b) expand the list of projects to include all Public Works managed projects; and

(c) allow the Department of Public Works to use the current list of prequalified firms to contract for construction management services for those projects.

9. **ITEM A-19 - Consideration of proposed Resolution accepting and confirming ballot tabulation for the establishment of Zone Q (Orchard Shores) of County Service Area No. 23, approving formation of Zone Q and assessments for Zone Q road maintenance** - Public Works Director Brent Siemer presented the staff report.

Supervisor Rushing offered Resolution No. 2010-196, and it was passed by roll call vote (5 ayes).

10. **ITEM A-6 - 9:30 A.M. - PUBLIC HEARING - Request for Rezone from "RR" Rural Residential (RZ 07-14) and a General Plan of Development for the subdivision of approximately 105 acres to create 30 residential lots (GPD 07-03); Project Applicant is Plum Flat, LLC; located at 10929 Point Lakeview Road, Kelseyville (APN 009-006-300)** - Community Development Director Rick Coel, Principal Planner Emily Minton and Plum Flat, LLC Representative Scott Bennett were present.

Ms. Minton presented the staff report.

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Mr. Bennett presented the request.

Supervisor Brown was absent at 10:10 a.m. and present at 10:12 a.m.

This item was continued to later in the day.

11. **ITEM A-7 - 10:15 A.M. - Presentation of Annual Conservation Award to the Redbud Audubon Society** - Fish and Wildlife Advisory Board Chair Greg Giusti was present.

At the recommendation of the Fish and Wildlife Advisory Board, Chair Farrington presented the Annual Conservation Award to the Redbud Audubon Society Representative Marilyn Waits, who spoke.

- BACK TO #10 - ITEM A-6 - 9:30 A.M. - PUBLIC HEARING - Request for Rezone from "RR" Rural Residential (RZ 07-14) and a General Plan of Development for the subdivision of approximately 105 acres to create 30 residential lots (GPD 07-03); Project Applicant is Plum Flat, LLC; located at 10929 Point Lakeview Road, Kelseyville (APN 009-006-300)** - Chair Farrington opened the public hearing and the following people spoke: Debi Freeland, Anna Ravenwood, Steve Lowe, Linda Tulard, Victoria Brandon, Monica Rosenthal, Cliff Densky, Inga Black, Ron Rose and Vincent Price. No one else was present wishing to speak and the public hearing was continued two weeks, to November 9, 2010, at 9:30 a.m.

After a brief recess, the Board reconvened into Regular Session at 11:30 a.m.

12. **ITEM A-16 - Consideration of proposed Agreement between the County of Lake and Gary Briggs, for rental properties located at 4960 Golf Avenue and 4960 Golf Avenue, Units A, C, D and E, in the amount of \$2,725 per month (with a one-time security deposit of \$5,400) for mental health facilities (including Addendum for future rental of 4960 Golf Avenue, Unit B, when vacant, at an additional monthly rate of \$475, and a one-time security deposit of \$950)** - This item was not taken up, per departmental request.

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

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

Darron Jordan - Application No.s 32-2010 and 33-2010 - 1250 Martin Street, Lakeport, CA - Assessment Nos 995-020-675-000 and 995-020-676-000 - On motion of Member Brown and by vote of the Board (5 ayes) denied the request, without prejudice.

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

14. **ITEM A-8 - 10:20 A.M. - Presentation of Lampson Field Airport 2010 Capital Improvement Status Report** - Public Works Director Brent Siemer presented the staff report.

Chair Farrington asked if anyone was present wishing to speak and the following people spoke: Damon Trimble, Gary Williamson, Teresa Thurman, Nancy Ruzicka, Todd Falconer, Ross Falconer and Robert Pavrones. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to direct staff to continue the development of a sewer transmission line from the City of Lakeport to the County owned property, to encourage public-private partnerships, including the option of an interim onsite disposal system in the interest of job creation until the transmission line can be installed.

After a lunch recess, the Board reconvened into Regular Session at 1:40 p.m.

15. **ITEM A-11 - 1:30 P.M. - Update on potential revenue options, both current and future, in order to provide long-term ongoing funding to combat lake algae and aquatic weeds** - Water Resources Director Scott DeLeon and George Speake were present.

Mr. Speake gave a power point presentation.

Chair Farrington asked if anyone was present wishing to speak and the following people spoke: Sarah Ryan, Paula Britton, Chuck March, Betsy Cawn, Ron Rose and Melissa Fulton. No one else was present wishing to speak and the public input portion of this item was closed.

This item was continued three weeks, to November 16, 2010, at 10:30 a.m.

After a brief recess, the Board reconvened into Regular Session at 3:30 p.m.

16. **ITEM A-9 - Continued from June 22, 2010, August 17, 2010, September 14, 2010, September 21, 2010 and October 5, 2010 - 10:45 A.M. - PUBLIC HEARING - Appeal (AB 10-01) of Houser Holdings CA, LLC (U Wanna Camp) of the Planning Commission's denial of Administrative Appeal (AA 09-02) to the Notice of Violation issued on September 3, 2009, in conjunction with Case #RC98, regarding the long-term occupancy of RV spaces on a site with an expired use permit; located at 2699 Scotts Creek Road, Lakeport, CA (APN 005-026-27)** - Community Development Director Rick Coel, Senior Planner Kevin Ingram, Teresa Thurman, Mary Jane Fagalde and Ron Rose were sworn in by the Clerk.

Mr. Ingram presented the staff update.

Ms. Fagalde and Mr. Rose gave testimony.

The gavel was passed to Vice Chair Comstock.

Supervisor Farrington made a motion of intended decision to deny the appeal and direct County Counsel to prepare Findings of Fact. The motion died for lack of a second.

Supervisor Brown made a motion of intended decision to grant the appeal and direct County Counsel to prepare Findings of Fact. The motion died for lack of a second.

On motion of Supervisor Rushing and by vote of the Board (3 ayes, Supervisors Comstock and Farrington NO), made an intended decision to grant the appeal and directed staff to issue a notice to the California Department of Housing and Community Development to request enforcement of their review of special occupancy parks; and in the case of U Wanna Camp specifically, to notify HCD that the County was not given the opportunity to consider adverse impacts of this type of business operating within the given zoning, and to request that no further permit be issued, until the County is given the opportunity to consider those impacts via the Conditional Use Permit Process.

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The gavel was returned to Chair Farrington.

17. **ITEM A-18 - Discussion/consideration of proposed Agreement between the County of Lake and Quincy Engineering Inc., for engineering services for replacement of the St. Helena Creek Bridge, No. 14C-0072, at Hilderbrand Drive, near Middletown (amount not to exceed \$360,000)** - Public Works Director Brent Siemer and Principal Civil Engineer Ken Brown were present.

Mr. Siemer presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Quincy Engineering Inc., for engineering services for replacement of the St. Helena Creek Bridge, No. 14C-0072, at Hilderbrand Drive, near Middletown (amount not to exceed \$360,000), and authorized the Chair to sign.

18. **ITEM A-21 - CLOSED SESSION - 1. Public Employee Performance Evaluation: Title: Animal Control Director** - Chair Farrington announced the Board would now go into Closed Session for the reason stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 4:45 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya Turner
Assistant Clerk of the Board