

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 21, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 21st day of September, 2010 there being present Supervisors 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. Supervisor Comstock was absent.

The meeting was called to order at 9:03 a.m. by Chair Farrington. Following the moment of silence, Supervisor 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 Comstock ABSENT), approved Consent Agenda items C-1 through C-7.

Approved Minutes of the Board of Supervisors meeting held on September 14, 2010.

Approved Agreement between the County of Lake and the Lake County Chamber of Commerce for marketing, economic development and visitor information services, in the amount of \$65,000, and authorized the Chair to sign.

Adopted Resolution No. 2010-170, approving the application for grant funds from the California Emergency Management Agency (Cal-EMA) for the Lake County Underserved Victim Advocacy and Outreach Program.

Adopted Resolution No. 2010-171, approving the application for grant funds from the State of California Parks and Recreation Recreational Trails Program for trails development for Mt. Konocti and Rodman Slough County Parks.

Adopted Resolution No. 2010-172, amending Resolution No. 2010-165 establishing position allocations for Fiscal Year 2010-2011, Budget Unit No. 8695, Special Districts Administration.

Adopted Resolution No. 2010-173, authorizing the Chairman of the Board to approve and directed the Tax Collector to sell, by an agreement, tax defaulted property which is subject to the power of sale in accordance with Chapter 8 of Part 6 Division 1, of the California Revenue and Taxation Code.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, approved revision to Redevelopment Agency's Facade Improvement Program Guidelines.

Supervisor Comstock was present at 9:07 a.m.

2. **ITEM A-13 - Supervisors' weekly calendar, travel and reports** - On motion of Supervisor Smith and by vote of the Board (5 ayes) approved retroactive out of County travel for Supervisor Rushing to attend the North Central Counties Consortium Governing Board meeting, September 15, 2010, in Colusa, CA.

CITIZEN'S INPUT - Cheri Holden showed the video short, "Pelicans of Clear Lake", and extended an invitation to the next Sierra Club Meeting.

Francis Schutz spoke regarding the Wildcat Road bridge project.

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Air Quality Management District.

3. **ITEM A-5 - 9:15 A.M. - PUBLIC HEARING - Discussion/consideration of proposed Resolution adopting rules and regulations for in-use agricultural compression ignition engines (adopting District Rule 470 modifications and directing staff to submit Rule Adoption Package to the California Air Resources Board and Environmental Protection Agency for SIP approval and inclusion)** - Air Pollution Control Officer Doug Gearhart and Senior Air Quality Specialist Elizabeth Knight were present.

Mr. Gearhart presented the staff report.

Chair Farrington opened the public hearing and Victoria Brandon spoke. No one else was present wishing to speak and the public hearing was closed.

Director Rushing offered Resolution No. 2010-174, and it was passed by roll call vote (5 ayes).

The Board of Directors of the Lake County Air Quality Management District adjourned and convened as the Board of Directors of the Lake County Redevelopment Agency.

4. **ITEM A-6 - 9:45 A.M. - (a) PUBLIC HEARING - Purchase of real property consisting of land located at 3700 Country Club Drive, 6607 and 6607-B 14th Avenue, Lucerne, CA (APNs 034-182-030 and 034-182-040), the agreed purchase price is \$1,350,000 and the seller is Castlepoint Ministries; and (b) Consideration of proposed Agreement between the County of Lake and the Lake County Redevelopment Agency providing a loan to fund the purchase of the above listed property** - Redevelopment Agency Executive Director Kelly Cox presented the staff report.

(a) Chair Farrington opened the public hearing and the following people spoke in support of the proposed purchase: DeWitt "Buck" Bouker, Carol Bettencourt, Lenny Mathews, Maria Giovanni, Nancy Ruzicka, Nancy Kaymen, Jerry Morehouse, Barbara Johnson, Craig Bach, Wally Holbrook, Victoria Brandon, John Jenson, Lyndon Ernst and Grant Murray. No one else was present wishing to speak and the public hearing was closed.

Director Rushing offered Resolution 2010-175, and it was passed by roll call vote (5 ayes).

The Board of Supervisors reconvened to serve simultaneously with the Board of Directors of the Lake County Redevelopment Agency for Item A-6 (b).

(b) On motion of Supervisor and Director Rushing and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and the Lake County Redevelopment Agency providing a loan to fund the purchase of the above listed property, and authorized the Chair to sign.

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

5. **ITEM A-14 - Consideration of applications for appointment to the In Home Support Services (IHSS) Advisory Committee** - After discussion, this item was continued to later in the morning.

After a brief recess, the Board reconvened into Regular Session and returned to Item A-14.

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On motion of Supervisor Rushing and by vote of the Board (5 ayes), appointed Buck Bouker to the In Home Support Services (IHSS) Advisory Committee, for a term expiring on January 1, 2012.

6. **ITEM A-7 - 10:15 A.M. - HEARING - Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$2,042.76 - 16350 Second Street, Lower Lake (APN 024-282-020 - Daniel Darnell)** - Community Development Director Rick Coel and Code Enforcement Officer Roderic Hilliard were present.

Neither the owner, nor representation were present.

Mr. Hilliard presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), confirmed the assessment of \$2,042.76 for nuisance abatement on property located at 16350 Second Street, Lower Lake, CA (APN 024-282-020 - Daniel Darnell), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

7. **ITEM A-8 - 10:20 A.M. - Presentation of the annual Library Advisory Board Report** - County Librarian Susan Clayton and Library Advisory Board Chair Penelope Navone were present.

Ms. Clayton presented the report to the Board.

Chair Farrington asked if anyone was present wishing to speak and Carter Irwin spoke. No one else was present wishing to speak and the public input portion was closed.

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

8. **ITEM A-9 - Continued from June 22, 2010, August 17, 2010 and September 14, 2010 - 10:30 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, Mary Jane Fagalde, Teresa Thurman, Steve Brookes and Jack Pavlovich were sworn in by the Clerk.

Ms. Fagalde, Ms. Thurman, Mr. Brookes and Mr. Pavlovich gave testimony.

This item was continued to later in the day.

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

9. **ITEM A-10 - 11:30 A.M. - Assessment Appeal Hearing:**

Masoud Shahedi Mehr - Application No. 64-2009 - 13685 Lakeshore Drive, Clearlake, CA - APN 037-361-260-000 - Chief Deputy Assessor-Recorder Jim Campbell was present.

Chair Farrington announced this appeal has been withdrawn by the appellant.

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

- BACK TO #8 - ITEM A-9 - Continued from June 22, 2010, August 17, 2010 and September 14, 2010 - 10:30 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)** - Mr. Coel gave a power point presentation.

Chair Farrington re-opened the public hearing and the following people spoke: Kevin Mitchell, Jim Knox, Mary Ann McQueen and Jerry McQueen. No one else was present wishing to speak and the public hearing was continued two weeks, to October 5, 2010, at 10:00 a.m.

After a lunch recess, the Board reconvened into Regular Session at 1:37 p.m.

10. **ITEM A-11 - 1:30 P.M. - (a) Update on ongoing algae and weed abatement efforts in Clear Lake; and (b) Discussion/consideration of program/departmental priorities and options** - Water Resources Director Scott DeLeon was present.

(a) Supervisors Smith and Rushing introduced the item.

Mr. DeLeon gave a power point presentation to the Board.

Item A-11 (a) was informational only. No Board action was taken on this item.

(b) Chair Farrington asked if anyone was present wishing to speak and the following people spoke: Melissa Fulton, Kyle Miller, Kathy Fowler, Jim Fentress, Wayne Diggs, Dr. John Zebelean, Michael Friedman, Janet Taylor, Betsy Cawn, Craig Bach and Jim Steele.

After a brief recess, the Board reconvened into Regular Session at 3:37 p.m. and the following people spoke: Paula Britton and Anna Ravenwood. No one else was present wishing to speak and the public input portion of this item was closed.

No Board action was taken on this item.

11. **ITEM A-12 - 2:00 P.M. - (a) Consideration of the creation of a Lake Steering Committee to explore revenue options, both current and future, in order to provide long-term ongoing funding to combat lake algae and aquatic weeds, and to bring recommendations to the Board for its consideration; and (b) Consideration of the appointment of members to the Lake Steering Committee** - Water Resources Director Scott DeLeon was present.

Chair Farrington reported he had received communications from various business owners in the community, offering their time to investigate options for long-term ongoing funding to combat lake algae and aquatic weeds.

(a) There was Board consensus to direct Water Resources staff to explore options with these business owners and to present a list of options to the Board for its consideration on October 12, 2010, at 9:45 a.m.

(b) No Board action was taken on this item.

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

12. **ITEM A-16 - Update on emergency action taken on March 2, 2010, regarding the Southeast Regional Wastewater Collection System - Interim Collection System improvements** - Special Districts Utilities Systems Compliance Coordinator John Thompson presented the staff report.

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

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

13. **ITEM A-15 - Consideration of proposed Agreement between the County of Lake and the California Association of Realtors - Lake Realty, for rental property located at 14954 Burns Valley, in the amount of \$950 per month (with a one-time security deposit of \$1900) for a mental health facility** - Mental Health Director Kristy Kelly 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 the California Association of Realtors - Lake Realty, for rental property located at 14954 Burns Valley, in the amount of \$950 per month (with a one-time security deposit of \$1900) for a mental health facility, and authorized the Chair to sign.

14. **ITEM A-17 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert, M. Perry and J. Hammond; and (b) Employee Organization: DSA 2. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Section 54956.9, Subdivision (a) - Robey v. Scott, et al.** - Chair Farrington announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 4:56 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya Turner
Assistant Clerk of the Board