



# Lassen County

## Meeting Agenda

### Board of Supervisors

*LASSEN COUNTY SUPERVISORS:*

*DISTRICT 1 - CHRIS GALLAGHER - CHAIRMAN; DISTRICT 2 - DAVID TEETER ; DISTRICT 3 - JEFF HEMPHILL - VICE-CHAIRMAN; DISTRICT 4 - AARON ALBAUGH; DISTRICT 5 - TOM HAMMOND*

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Tuesday, February 20, 2018

9:00 AM

Board Chambers  
707 Nevada Street  
Susanville, CA 96130

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### ADDRESSING THE BOARD

\*Any person desiring to address the Board shall first secure permission of the presiding officer.

\*Speaker cards are provided so that individuals can bring to the attention of the presiding officer their desire to speak on a particular Agenda item. Cards are available on the table by the door and shall be completed and presented to the Clerk in advance of speaking.

\*Matters under the jurisdiction of the Board, and not on the Agenda, may be addressed by the Public at the time provided in the Agenda under Public Comment. The Board limits testimony on those items to three minutes per person and no more than three individuals shall address the same subject.

\*As required by Govt. Code Section 54957.5, any public record distributed to the Board of Supervisors less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the office of the Clerk of the Board, 220 S. Lassen St., Suite 5, Susanville CA 96130. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by any other party and distributed at the meeting, it will be made available for public inspection following the meeting at the office of the Clerk of the Board.

\* Parties with a disability as provided by the Americans with Disabilities Act who require special accommodations or aides in order to participate in the public meeting should make the request to the County Clerk of the Board's Office three full business days prior to the meeting at (530) 251-8217 or [lcclerk@co.lassen.ca.us](mailto:lcclerk@co.lassen.ca.us).

\*Next Resolution in line for adoption: No. 18-006

\*Next Ordinance in line for adoption: No. 2018-02

THE BOARD OF SUPERVISORS MAY RECESS AT 11:45 AM AND RECONVENE AT 1:30 PM.

THE BOARD MAY HOLD CLOSED SESSION AS THE AGENDA SCHEDULE PERMITS.

### A. 9:00 A.M. CALL TO ORDER

1. PUBLIC COMMENT (Suggested for addressing items to be considered under Closed Session)

2. CLOSED SESSION

ANNOUNCEMENT OF THE ITEMS TO BE DISCUSSED IN CLOSED SESSION

1) Conference with Legal Counsel: Significant exposure to Litigation Pursuant to Subdivision (d)(2) of Government Code Section 54956.9. One case.

### B. 9:30 A.M. OPENING CEREMONIES

#### Pledge of Allegiance and Invocation

## 1. ANNOUNCEMENT OF ITEMS DISCUSSED IN CLOSED SESSION

## 2. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

## 3. PUBLIC COMMENTS

\*Matters under the jurisdiction of the Board, and not on the Agenda, may be addressed by the Public at the time provided in the Agenda under Public Comment. The Board limits testimony on those items to three minutes per person and no more than three individuals shall address the same subject.

## 4. UNAGENDIZED REPORTS BY BOARD MEMBERS (Immediately following public comment and no later than 10:00 a.m.)

**C. PUBLIC HEARINGS**

These matters are scheduled at the time stated, and will be heard by the Board as close to the time stated as possible.

**1**

10:10 a.m. MOUA

SUBJECT: Hearing on Accounting pursuant to Lassen County Code Sections 19.140; and consideration of report of administrative civil penalties (as ordered to Ger Moua, by the Decision of Administrative Hearing Officer, CDEF2017-208 on August 21, 2017), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: \$24,570.38 to the General Fund.

ACTION REQUESTED: 1) Receive the Enforcing Officer's Report; and 2) conduct a public hearing; and 3) adopt a resolution to do the following: a) Order recordation of a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs and the administrative civil penalties associated with said violation, as accounted for by the Enforcing Officer; and b) order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

**Attachments:**

PB-CDEF2017-208Moua2-20-2018

**2**

10:13 a.m. SIENG

SUBJECT: Hearing on Accounting pursuant to Lassen County Code Sections 19.140; and consideration of report of administrative civil penalties (as ordered to Vouchmeng Sieng, by the Decision of Administrative Hearing Officer, CDEF2017-209 on August 7, 2017), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: \$57,558.17 to the General Fund.

ACTION REQUESTED: 1) Receive the Enforcing Officer's Report; and 2) conduct a public hearing; and 3) adopt a resolution to do the following: a) Order recordation of a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs and the administrative civil penalties associated with said violation, as accounted for by the Enforcing Officer; and b) order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

Attachments:

PB-CDEF2017-209Sieng2-20-2018

**3**

10:16 a.m. LOR

SUBJECT: Hearing on Accounting pursuant to Lassen County Code Sections 19.140; and consideration of report of administrative civil penalties (as ordered to Trau Lor, by the Decision of Administrative Hearing Officer, CDEF2017-213 on August 21, 2017), charged pursuant to Lassen County Code Section 19.170.

FISCAL IMPACT: \$18,716.91 to the General Fund.

ACTION REQUESTED: 1) Receive the Enforcing Officer's Report; and 2) conduct a public hearing; and 3) adopt a Resolution to do the following: a) order recordation of a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs and the administrative civil penalties associated with said violation, as accounted for by the Enforcing Officer; and b) order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

Attachments:

PB-CDEF2017-213Lor2-20-2018

- 4 10:19 VUE  
SUBJECT: Hearing on Accounting pursuant to Lassen County Code Sections 19.140; and consideration of report of administrative civil penalties (as ordered to Michaelor Sao Vue, by the Decision of Administrative Hearing Officer, CDEF2017-220 on November 6, 2017), charged pursuant to Lassen County Code Section 19.170.  
FISCAL IMPACT: \$47,917.28 to the General Fund.  
ACTION REQUESTED: 1) Receive the Enforcing Officer's Report; and 2) conduct a public hearing; and 3) adopt a resolution to do the following: a) Order recordation of a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs and the administrative civil penalties associated with said violation, as accounted for by the Enforcing Officer; and b) order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

Attachments: PB-CDEF2017-220Vue2-20-2018

- 5 10:25 a.m. HOMESTEAD PROPERTY LLC  
SUBJECT: Hearing on Accounting pursuant to Lassen County Code Section 19.140; and consideration of report of administrative civil penalties (as ordered to Homestead Property LLC, by the Decision of Administrative Hearing Officer, CDEF2017-226 on November 6, 2017), charged pursuant to Lassen County Code Section 19.170.  
FISCAL IMPACT: \$3,445.86 to the General Fund.  
ACTION REQUESTED: 1) Receive the Enforcing Officer's Report; and 2) conduct a public hearing; and 3) adopt a resolution to do the following: a) Order recordation of a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs and the administrative civil penalties associated with said violation, as accounted for by the Enforcing Officer; and b) Order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

Attachments: PB-CDEF2017-226Homestead2-20-2018

- 6** 10:28 a.m. SAECHAO  
SUBJECT: Hearing on Accounting pursuant to Lassen County Code Sections 19.140; and consideration of report of administrative civil penalties (as ordered to Vern Giam Fou Saechao by the Decision of Administrative Hearing Officer, CDEF2017-230 on October 23, 2017), charged pursuant to Lassen County Code Section 19.170.  
FISCAL IMPACT: \$798.07 to the General Fund.  
ACTION REQUESTED: 1) Receive the Enforcing Officer's Report; and 2) conduct a public hearing; and 3) adopt a resolution to do the following: a) Order recordation of a lien against real property identified herein, on which marijuana cultivation occurred in violation of Lassen County Code Title 19, in order to recover both the administrative and abatement costs and the administrative civil penalties associated with said violation, as accounted for by the Enforcing Officer; and b) order that the administrative and abatement costs associated with the violation, as defined by Title 19 of Lassen County Code, be placed on the county tax roll, in an effort to recover said costs.

Attachments: PB-CDEF2017-230Saechao2-20-2018

#### **D. MATTERS SET FOR TIME CERTAIN**

These matters have been set at the time stated to accommodate the participants, and will be heard by the Board as close to the time stated as possible.

- 1** 10:30 a.m. SUPERVISOR HEMPHILL  
SUBJECT: Presentation by member of the public (D. Montgomery) regarding land use complaint on Jordanna Ln.  
FISCAL IMPACT: None.  
ACTION REQUESTED: 1) Consider instructing staff (CAO) to take enforcement action; or 2) provide direction to staff.

10:25 a.m.: RECESS

#### **E. STUDY SESSION**

#### **F. BOARDS AND COMMISSIONS**

#### **G. INFORMATION/CONSENT CALENDAR**

These matters are routine in nature and usually approved by a single vote. Prior to action of the Board, the public will be given the opportunity to comment on any consent item

BOARD OF SUPERVISORS

- 1** WELCOME HOME VIETNAM VETERANS DAY  
SUBJECT: Resolution recognizing Welcome Home Vietnam Veterans Day in Lassen County on Saturday, March 31, 2018 at 10:00 a.m. at the Susanville Veterans Memorial Building.  
FISCAL IMPACT: None.  
ACTION REQUESTED: Adopt Resolution.

Attachments: 180220 Resolution-Welcome Home Vietnam Vet Day  
VFW Attachment

- 2** ASSESSMENT APPEALS BOARD  
SUBJECT: Assessment Appeals Board - Rules of Notice and Procedure.  
FISCAL IMPACT: None.  
ACTION REQUESTED: 1) Adopt Resolution; or 2) provide direction to staff.

Attachments: 20180215114517027

AUDITOR'S OFFICE

- 3** REPORT  
SUBJECT: Treasurer's Fund Balance Report and Auditor's verification for the month of January, 2018.  
FISCAL IMPACT: None.  
ACTION: Receive and file.

Attachments: LASSEN COUNTY FUND BALANCES 1-31-2018

COUNTY CLERK-RECORDER

- 4** MINUTES  
SUBJECT: Meeting Minutes of February 1, 2018.  
ACTION: Approve.

Attachments: Draft Agenda Minutes

TREASURER/TAX COLLECTOR

- 5** REPORT  
SUBJECT: Treasurer's Investment Report for January, 2018.  
FISCAL IMPACT: None.  
ACTION: Receive and file.

Attachments: LASSEN COUNTY PORTFOLIO 1-31-2018

MISCELLANEOUS CORRESPONDENCE ITEMS

- 6** ACTION REQUESTED: Receive and file the following correspondence:  
a) Lassen County Behavioral Health Advisory Board meeting agenda for February 13, 2018.  
b) ) Lassen County Air Pollution Control District Governing Board Meeting Agenda for February 13, 2017.

Attachments: Misc Corr

## H. DEPARTMENT REPORTS

### BOARD OF SUPERVISORS

- 1** ROAD DEPARTMENT  
SUBJECT: Capezzoli Lane, County Road 306 repair.  
FISCAL IMPACT: Estimated expenditure of \$137,000 from the current Fiscal Year 2017/18 Road Operating Fund/Budget Unit No.122-1221 and proposed expenditure of \$300,000 from future Road Operating Fund/Budget Unit No.122-1221.  
ACTION REQUESTED: That the Board of Supervisors 1) Receive report; and 2) provide direction to staff.

Attachments: PW Capezzoli Ln Attach

### PUBLIC WORKS DEPARTMENT

- 2** ROAD DEPARTMENT  
SUBJECT: County Road Maintenance Update Report-Storm Damage repairs.  
FISCAL IMPACT: Expenditures, amount to be determined, from Road Operating Fund/Budget Unit No.122-1221 and Road Construction Fund/Budget Unit No. 122-1222 with anticipated reimbursement, amount to be determined, from the Federal Emergency Management Agency (FEMA) and Emergency Relief (ER) programs.  
ACTION REQUESTED: 1) Receive report; and/or 2) provide direction to staff.

Attachments: PW Storm Report Update Attach

### BOARD OF SUPERVISORS

- 3** COMMITTEE APPOINTMENTS  
SUBJECT: Reconsider annual Committee appointments for 2018.  
FISCAL IMPACT: None.  
ACTION REQUESTED: Reconsider appointments to the following Boards, Committees and Commissions:
1. Lassen County Transportation Commission
    - a. Government Code section 29535.
    - b. Three members appointed by the Board of Supervisors. Three alternates appointed by the Board of Supervisors.
  2. Lassen Transit Services Agency
    - a. Government Code section 6500, Joint Powers Agency.
    - b. Three individuals, the same three as are on Transportation Commission. Three alternates, who must be same alternates as to Transportation Commission.

## COUNTY COUNSEL

- 4** ORDINANCE  
SUBJECT: Supplemental Transaction and Use Tax Ordinance.  
FISCAL IMPACT: Estimated revenue to the County General Fund in the amount of 2.1 million dollars annually.  
ACTION REQUESTED: 1) Adopt Ordinance; or 2) provide direction to staff.  
Attachments: 20180216153506422
- 5** TAX AND ADVISORY MEASURE  
SUBJECT: Calling and consolidating election on Tax and Advisory Measure with statewide primary election on June 5, 2018.  
FISCAL IMPACT: Unknown.  
ACTION REQUESTED: 1) Adopt Resolution calling an election on sales tax measure, calling election on advisory measure, consolidating both with statewide primary election on June 5, 2018; or 2) provide direction to staff.  
Attachments: 20180216152655741
- 6** AGREEMENT  
SUBJECT: Revenue sharing agreement with the City of Susanville.  
FISCAL IMPACT: As stated in Agreement.  
ACTION REQUESTED: 1) Approve Agreement (four-fifths vote required); or 2) provide direction to staff.  
Attachments: 20180216141237108

## PLANNING AND BUILDING SERVICES



- 7                    HOUSING LEGISLATION  
SUBJECT: Request to Board of Supervisors for Direction Regarding New Housing Legislation (Senate Bill 1069 and Assembly Bill 2299 amended by Senate Bill 229 and Assembly Bill 494).  
FISCAL IMPACT: Unknown.  
ACTION REQUESTED: 1) Receive staff report; and 2) consider the Planning Commission’s recommendation; and 3) provide direction to staff.

Attachments:      PB NewHousingLeg 2-20-18 pkt

COUNTY ADMINISTRATIVE OFFICE

- 8                    SUBJECT: INFORMATION FOR THE BOARD OF SUPERVISORS

**I. CORRESPONDENCE**

**J. AGENDA ADDENDUM**

**2018 PROPOSED MEETING:**

February 27, 2018 – 9:00 a.m. – Board Meeting  
March 6, 2018 – No Board Meeting  
March 13, 2018 – 9:00 a.m. – Board Meeting  
March 20, 2018 – 9:00 a.m. – Board Meeting  
March 27, 2018 – 9:00 a.m. – Board Meeting  
April 3, 2018 – No Board Meeting  
April 10, 2018 – 9:00 a.m. – Board Meeting  
April 17, 2018 – 9:00 a.m. – Board Meeting  
April 24, 2018 – 9:00 a.m. – Board Meeting  
May 1, 2018 – No Board Meeting  
May 8, 2018 – 9:00 a.m. – Board Meeting  
May 15, 2018 – 9:00 a.m. – Board Meeting  
May 22, 2018 – 9:00 a.m. – Board Meeting  
May 29, 2018 – No Board Meeting  
June 5, 2018 – No Board Meeting  
June 12, 2018 – 9:00 a.m. – Board Meeting  
June 19, 2018 – 9:00 a.m. – Board Meeting  
June 26, 2018 – 9:00 a.m. – Board Meeting  
July 3, 2018 – No Board Meeting  
July 10, 2018 – 9:00 a.m. – Board Meeting  
July 17, 2018 – 9:00 a.m. – Board Meeting  
July 24, 2018 – 9:00 a.m. – Board Meeting  
August 7, 2018 – No Board Meeting  
August 14, 2018 – 9:00 a.m. – Board Meeting  
August 21, 2018 – 9:00 a.m. – Board Meeting  
August 28, 2018 – 9:00 a.m. – Board Meeting  
September 4, 2018 – No Board Meeting  
September 11, 2018 – 9:00 a.m. – Board Meeting  
September 18, 2018 – 9:00 a.m. – Board Meeting  
September 25, 2018 – 9:00 a.m. – Board Meeting  
October 2, 2018 – No Board Meeting  
October 9, 2018 – 9:00 a.m. – Board Meeting  
October 16, 2018 – 9:00 a.m. – Board Meeting  
October 23, 2018 – 9:00 a.m. – Board Meeting  
October 30, 2018 – No Board Meeting  
November 6, 2018 – No Board Meeting  
November 13, 2018 – 9:00 a.m. – Board Meeting  
November 20, 2018 – 9:00 a.m. – Board Meeting  
November 27, 2018 – 9:00 a.m. – Board Meeting  
December 4, 2018 – No Board Meeting  
December 11, 2018 – 9:00 a.m. – Board Meeting  
December 18, 2018 – 9:00 a.m. – Board Meeting

**December 25, 2018 – Holiday – No Board Meeting**

**ADJOURNMENT**