



# Agenda

## County of Lake Board of Supervisors

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**Any person may speak for (3) minutes on any agenda item; however, total public input per item is not to exceed 15 minutes, unless extended at the discretion of the Board. This rule does not apply to public hearings. Non-timed items may be taken up at any unspecified time.**

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**The Lake County Board of Supervisors meets concurrently as the Board of Directors of Lake County Air Quality Management District, Board of Directors of Lake County Flood Control and Water Conservation District, Board of Directors of Kelseyville County Waterworks District #3, Board of Directors of Lake County Sanitation District, Lake County Housing Commission, Lake County Redevelopment Agency and the Lake County Board of Equalization.**

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**REQUEST FOR DISABILITY - RELATED MODIFICATION OR ACCOMMODATION:A request for a disability-related modification or accommodation necessary to participate in the Board of Supervisors meeting should be made in writing to the Clerk of the Board at least 48 hours prior to the meeting.**

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**SEPTEMBER 27, 2005**

**CALL TO ORDER - 9:00 A.M.  
MOMENT OF SILENCE  
PLEDGE OF ALLEGIANCE**

**LAKE COUNTY COURTHOUSE  
255 NORTH FORBES STREET  
LAKEPORT, CA 95453**

**TIMED ITEMS**

A-1	Board of Supervisors	<b>9:00 A.M.</b>	APPROVAL OF CONSENT AGENDA (SEE LISTING FOLLOWING REGULAR AGENDA) - CONSENT AGENDA ITEMS ARE EXPECTED TO BE ROUTINE AND NON-CONTROVERSIAL. THEY WILL BE ACTED UPON BY THE BOARD AT ONE TIME WITHOUT DISCUSSION. ANY BOARD MEMBER MAY REQUEST THAT ANY ITEM BE REMOVED FROM THE CONSENT AGENDA FOR LATER DISCUSSION
A-2	Board of Supervisors		<b><u>CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA</u></b> - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA, IF NECESSARY, REQUIRES THE FOLLOWING BOARD ACTION PRIOR TO CONSIDERATION: 1) A DETERMINATION BY A MAJORITY VOTE OF THE BOARD THAT AN EMERGENCY SITUATION EXISTS (AS DEFINED IN SECTION 54956.9 OF THE BROWN ACT); OR 2) A DETERMINATION BY A TWO-THIRDS VOTE OF THE LEGISLATIVE BODY OR, IF LESS THAN TWO-THIRDS OF THE MEMBERS ARE PRESENT, A UNANIMOUS VOTE OF THOSE MEMBERS PRESENT, THAT THERE IS A NEED TO TAKE IMMEDIATE ACTION AND THAT THE NEED FOR ACTION CAME TO THE ATTENTION OF THE COUNTY SUBSEQUENT TO THE AGENDA BEING POSTED
A-3	Board of Supervisors		CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS

**CITIZENS INPUT**

	Public	<b>9:05 A.M.</b>	ANY PERSON MAY SPEAK FOR THREE MINUTES ABOUT ANY SUBJECT OF CONCERN, PROVIDED THAT IT IS WITHIN THE JURISDICTION OF THE BOARD OF SUPERVISORS AND IS NOT ALREADY ON TODAY'S AGENDA. PRIOR TO THIS TIME, SPEAKERS MUST FILL OUT A SLIP GIVING NAME, ADDRESS AND SUBJECT (AVAILABLE IN THE CLERK OF THE BOARD'S OFFICE, FIRST FLOOR, COURTHOUSE)
A-4	Community Development - Planning Division	<b>9:15 A.M.</b>	<b>PUBLIC HEARING - GENERAL PLAN AMENDMENT PROPOSAL (GPAP 05- 02) APPLIED FOR BY WILLIAM GILBERT - FOR PROJECT LOCATED AT 5920 INDIAN ISLAND, CLEARLAKE, CA - (THIS ITEM WILL BE WITHDRAWN FROM TODAY'S AGENDA AND NO HEARING WILL BE HELD)</b>
A-5	Health Services	<b>9:20 A.M.</b>	DISCUSSION/CONSIDERATION OF PROPOSED REVISIONS TO LAKE COUNTY RULES AND REGULATIONS (LRC) FOR ONE-SITE SEWAGE DISPOSAL
A-6	Community Development - Planning Division	<b>9:45 A.M.</b>	<b>PUBLIC HEARING - GENERAL PLAN TEXT AMENDMENT PROPOSAL (GPAP 05-03) AS APPLIED FOR BY KIMCO DEVELOPMENT FOR THE ARABIAN RANCH; LOCATED TO THE WEST OF THE HIDDEN VALLEY LAKE SUBDIVISION, AT 18196 AND 18426 HIGHWAY 29, MIDDLETOWN, CA (APN'S 014-260-36 and 041-260-51) - (THIS ITEM WILL BE WITHDRAWN FROM TODAY'S AGENDA AND NO HEARING WILL BE HELD)</b>
A-7	Community Development - Planning Division	<b>10:15 A.M.</b>	<b>PUBLIC HEARING - PLANNING COMMISSIONS' RECOMMENDATION FOR APPROVAL OF A GENERAL PLAN AMENDMENT (GPAP 04-10) FROM SUBURBAN RESIDENTIAL RESERVE TO SUBURBAN RESIDENTIAL AND A SMALL PORTION FROM AGRICULTURE TO RURAL RESIDENTIAL, A REZONE FROM "SR" (SUBURBAN RESERVE) TO "RI" (SINGLE-FAMILY RESIDENTIAL), TO DIVIDE ONE PARCEL INTO FOUR PARCELS BY DALLAS HILLIGOSS; and ADOPTION OF A NEGATIVE DECLARATION BASED ON THE INITIAL STUDY 04-95; LOCATED AT 830 OLD LUCERNE ROAD., UPPER LAKE, CA. (APN 004-009-23)</b>
A-8	Board of Supervisors	<b>10:30 A.M.</b>	<b>PUBLIC HEARING - INTENTION TO NAME AN EXISTING UNNAMED ROAD "BLACK ARROW TRAIL" LOCATED OFF OF WIGHT WAY, APPROXIMATELY THREE MILES SOUTHWEST OF KELSEYVILLE</b>

A-9	Public Works	10:45 A.M.	<b><u>Continued From August 23, 2005</u></b> <b>PUBLIC HEARING</b> - INTENTION TO VACATE A PUBLIC LAKE ACCESS EASEMENT (TO CLEAR LAKE), IN THE PARADISE VALLEY SUBDIVISION, IN THE GLENHAVEN AREA OF THE COUNTY OF LAKE
A-10	Supervisor Robey	11:15 A.M.	DISCUSSION/CONSIDERATION OF NECESSARY ACTION FOR THE RESTORATION AND MAINTENANCE OF THE LOWER LAKE PIONEER CEMETERY BY A LOCAL COMMUNITY GROUP
A-11	Administrative Office	11:30 A.M.	<b><u>Carried Over From September 6, 2005</u></b> CONSIDERATION OF PROPOSED RESOLUTION DESIGNATING THE AMOUNT OF FUNDING TO BE ALLOCATED TO TITLE II AND TITLE III PROJECTS PURSUANT TO H.R. 2389 FOR FISCAL YEAR 2005/2006 (FEDERAL FOREST RESERVE FUNDS)
A-12	Supervisor Robey	1:30 P.M.	<b><u>Continued From August 23, 2005</u></b> (a) DISCUSSION/CONSIDERATION OF A MORATORIUM ON THE USE OF GENETICALLY MODIFIED ORGANISMS (GMO) IN LAKE COUNTY; and (b) PRESENTATION BY PHILIP MURPHY REGARDING A PROPOSAL FOR A MORATORIUM ON PLANTING AND CULTIVATING GENETICALLY-ENGINEERED ALFALFA IN LAKE COUNTY

### NON-TIMED ITEMS

A-13	Board of Supervisors	SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS
A-14	Board of Supervisors	REVIEW AND APPROVAL OF PROPOSED RESPONSE TO FISCAL YEAR 2004/2005 GRAND JURY FINAL REPORT
A-15	Supervisor Farrington	CONSIDERATION OF PROPOSED DIRECTIVE TO STAFF TO PROCESS BOTH SEPTIC AND BUILDING PERMIT APPLICATIONS CONCURRENTLY

A-16	Auditor-Controller	CONSIDERATION OF PROPOSED BUDGET TRANSFERS TO COVER YEAR END OVERDRAFTS IN GRAND JURORS AND MARINE PATROL BUDGETS AND PROPOSED RESOLUTION TO APPROPRIATE OVER REALIZED REVENUE IN TRIAL COURTS, MENTAL HEALTH SERVICES AND VETERANS SERVICE OFFICER BUDGETS, FOR THE FISCAL YEAR ENDING JUNE 30, 2005 (OVERDRAFTS EXIST DUE TO AUDITOR'S CONVERSION TO MODIFIED ACCRUAL ACCOUNTING SYSTEM)
A-17	Public Works	PROPOSED RESOLUTION OF INTENTION TO ESTABLISH PROPOSED ZONE B (STONEFIELD COURT) OF COUNTY SERVICE AREA NO. 23, APPROVE THE ENGINEER'S REPORT, THE FORM OF BALLOT AND BALLOTING PROCESS FOR THE ASSESSMENT, AND SETTING A PUBLIC HEARING FOR PROTESTS AND BALLOTING DETERMINATION ON <b>NOVEMBER 15, 2005, AT 9:15 A.M.</b> (COUNTYWIDE COUNTY SERVICE AREA FOR ROAD IMPROVEMENT/MAINTENANCE PROGRAM)
A-18	LACOSAN (Sitting as the Board of Supervisors and as the Board of Directors of Lake County Sanitation District)	CONSIDERATION OF AMENDMENT NO. 1 TO WATER SUPPLY AGREEMENT BETWEEN LAKE COUNTY SANITATION DISTRICT, THE COUNTY OF LAKE AND YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE FULL CIRCLE PROJECT
A-19	Public Services - Solid Waste Division	<b><u>Advanced From September 13, 2005</u></b> AN ORDINANCE DECREASING GATE FEES TO BE CHARGED AT THE EASTLAKE LANDFILL FOR COUNTY SOLID WASTE SERVICES - <b>(SECOND READING)</b>
A-20	Public Works/Lake County Watershed Protection District (Sitting as the Board of Supervisors and as the Board of Directors of the Lake County Watershed Protection District)	<b><u>Advanced From September 13, 2005</u></b> (a) TWO ORDINANCES ADDING ARTICLE VIII TO CHAPTER 5 OF THE LAKE COUNTY CODE REGARDING DRAINAGE EASEMENT ENCROACHMENTS (BOARD OF SUPERVISORS AND BOARD OF DIRECTORS OF THE LAKE COUNTY WATERSHED PROTECTION DISTRICT) - (SECOND READINGS); (b) PROPOSED RESOLUTION AMENDING RESOLUTION NO. 2005-154 AND ADOPTING AMENDED RULES AND REGULATIONS FOR DRAINAGE ENCROACHMENTS - (BOARD OF SUPERVISORS; and (c) PROPOSED RESOLUTION ESTABLISHING THE RULES AND REGULATIONS FOR DRAINAGE ENCROACHMENT - (BOARD OF DIRECTORS OF LAKE COUNTY WATERSHED PROTECTION DISTRICT)

A-21	Public Works	<p><b><u>Advanced From September 13, 2005</u></b>                  AN ORDINANCE ESTABLISHING A SPEED LIMIT ZONE OF 45 MPH ON ELK MOUNTAIN ROAD, COUNTY ROAD NO. 301, FROM THE HUNTER BRIDGE ACROSS MIDDLE CREEK TO THE ENTRANCE OF MIDDLE CREEK CAMPGROUND - (SECOND READING)</p>
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**CLOSED SESSION**

A-22	Board of Supervisors/County Counsel	<p>1. Public Employee Appointment                  (a) County Counsel                  (b) Employee Organization: LCEA, LCCOA, SDA and DDAA                  2. Conference with Labor Negotiator                  (a) County Negotiators : A. Grant and M. Perry                  (b) Employee Organization: LCEA,, LCCOA, SDA and DDAA</p>
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**CONSENT AGENDA**

C-1	Board of Supervisors	APPROVE MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD ON SEPTEMBER 6, 2005.
C-2	Board of Supervisors	ADOPT RESOLUTION NO. _____, COMMENDING CAMERON REEVES UPON HIS RETIREMENT FROM COUNTY SERVICE.
C-3	Administrative Office	ADOPT RESOLUTION NO. _____, DECLARING INTENT TO SELL SURPLUS REAL PROPERTY OWNED BY THE COUNTY OF LAKE (60' X 160' UNIMPROVED LOT LOCATED AT 21236 WASHINGTON STREET, MIDDLETOWN, CA (APN 24-395-02 - FORMER MIDDLETOWN ROAD YARD).
C-4	Health Services	ADOPT RESOLUTION NO. _____, DECLARING INTENT TO CONTRACT BACK THE EMERGENCY MEDICAL SERVICES APPROPRIATION (EMSA) PROGRAM FUNDING FOR FISCAL YEAR 2005/2006 TO THE CALIFORNIA DEPARTMENT OF HEALTH SERVICES.
C-5	Mental Health	APPROVE TELEPSYCHIATRY SERVICES AGREEMENT BETWEEN THE COUNTY OF LAKE AND KINGS VIEW CORPORATION, FOR FISCAL YEAR 2005/2006, AND AUTHORIZE THE CHAIR TO SIGN.
C-6	Mental Health	APPROVE CONTRACT BETWEEN COUNTY OF LAKE AND OLGA SEGAL, M.D., FOR SPECIALTY MENTAL HEALTH SERVICES, AND AUTHORIZE THE CHAIR TO SIGN.



C-7	Personnel	APPROVE BUDGET TRANSFER B-009, IN THE AMOUNT OF \$4,000, TO PAY QUALIFIED MEDICAL EXAMINER FOR MEDICAL EVALUATION OF APPLICANT FOR DISABILITY RETIREMENT - BUDGET UNIT NO. 7999 - CONTINGENCIES TO BUDGET UNIT NO. 1341 - PERSONNEL, AND AUTHORIZE THE CHAIR TO SIGN.
C-8	Public Services	APPROVE AGREEMENT BETWEEN THE COUNTY OF LAKE AND DOMINIC AFFINITO, FOR PURCHASE OF 12.72 ACRES OF PROPERTY FOR PARK PURPOSES, LOCATED AT 2490 LAKESHORE BOULEVARD, NICE (APN'S 031-061-58 and 031-052-23), AND AUTHORIZE THE CHAIR TO SIGN.
C-9	Public Services - Solid Waste Division	FIND IT IN THE PUBLIC INTEREST TO WAIVE THE NORMAL BIDDING PROCESS FOR REASONS SET FORTH IN THE DEPUTY PUBLIC SERVICES DIRECTOR'S MEMORANDUM DATED SEPTEMBER 12, 2005, AND AUTHORIZE THE PUBLIC SERVICES DIRECTOR TO ENTER INTO A CONTRACT WITH WESTERN BALER & CONVEYOR, INC., TO PROVIDE MAINTENANCE AND REPAIR SERVICES FOR THE AM-FAB COMPACTOR (LOCATED AT THE LAKEPORT TRANSFER STATION) FOR AN ESTIMATED COST OF \$25,943 FOR PARTS AND LABOR.
C-10	Public Services - Solid Waste Division	(a) APPROVE BUDGET TRANSFER B-007, IN THE AMOUNT OF \$14,210, TO COVER ADDITIONAL COSTS FOR A FIVE (5 ) YEAR OR 5,000 HOUR POWER TRAIN WARRANTY, BUDGET UNIT 4121 - SOLID WASTE, AND AUTHORIZE THE CHAIR TO SIGN; (b) FIND THAT IT IS NOT IN THE PUBLIC INTEREST TO FOLLOW THE COMPETITIVE BIDDING PROCESS IN REGARD TO THE CONTRACT FOR PURCHASE OF A CATERPILLAR 973LOADER, FOR THE REASONS SET FORTH IN THE AUGUST 31, 2005, MEMORANDUM FROM THE PUBLIC SERVICES DIRECTOR; and (c) AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER TO PETERSON TRACTOR COMPANY, FOR PURCHASE OF A CATERPILLAR 973LOADER, IN THE AMOUNT OF \$405,207.55.
C-11	Administrative Office	ADOPT RESOLUTION NO. _____, PERTAINING TO TAX REVENUE EXCHANGE FOR ANNEXATION TO THE HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT - (LAFCO PROJECT #2005-03).

**BOARD OF DIRECTORS - KELSEYVILLE COUNTY WATERWORKS DISTRICT #3**

C-12	Kelseyville County Waterworks District #3	APPROVE EASEMENT DEED AND DIRECT CLERK TO CERTIFY FOR RECORDATION (APN 008-026-07 - PHILIP DENNIS MURPHY and CELESTE MARIE MURPHY; and APPROVE RIGHT-OF-WAY AGREEMENT BETWEEN KELSEYVILLE COUNTY WATERWORKS DISTRICT #3 AND PHILIP DENNIS MURPHY and CELESTE MARIE MURPHY, FOR THE KELSEYVILLE WATER PROJECT, AND AUTHORIZE THE CHAIR TO SIGN.
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**Board Action on Consent Agenda:** \_\_\_\_\_