

AGENDA



COUNTY OF LAKE BOARD OF SUPERVISORS

Supervisor Ed Robey - District 1
Supervisor Jeff Smith - District 2
Supervisor Denise Rushing - District 3
Supervisor Anthony Farrington - District 4
Supervisor Rob Brown - District 5

Any person may speak for three (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.

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 Watershed Protection 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, Lake County Board of Equalization and Board of Directors of Lake County In-Home Supportive Services Public Authority.

Agendas of public meetings and supporting documents are available for public inspection in the Lake County Courthouse, Board of Supervisors Office, First Floor, Room 109, 255 North Forbes Street, Lakeport, California.

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.

DECEMBER 18, 2007

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 **9:00 A.M.** 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 **CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA** - 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 54956.5 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

CITIZEN'S INPUT

Public **9:05 A.M.** 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 **9:15 A.M. FOR** **PUBLIC HEARING** - PLANNING COMMISSION'S RECOMMENDATION APPROVAL OF A GENERAL PLAN AMENDMENT PROPOSAL (GPAP 07-11) AND A REZONE (RZ 07-19) PROPOSED FOR THE FOLLOWING:

(A) GENERAL PLAN AMENDMENT FROM SERVICE COMMERCIAL TO COMMUNITY COMMERCIAL AND REZONE FROM "C3-DR", SERVICE COMMERCIAL - DESIGN REVIEW TO "C2-DR", COMMUNITY COMMERCIAL - DESIGN REVIEW FOR A 2.4 ACRE PORTION OF THE 7 ACRE PROPERTY LOCATED AT 2570 SOUTH MAIN STREET, LAKEPORT (APN 008-003-04 - RICHARD KEMP);

(B) GENERAL PLAN AMENDMENT FROM RESOURCE CONSERVATION TO MEDIUM DENSITY RESIDENTIAL FOR A 1.8 ACRE PORTION OF THE 34 ACRE PROPERTY LOCATED AT 6850 ROBIN HILL DRIVE, LAKEPORT, CA (APN 004-029-28 - RH VENTURE);

(C) GENERAL PLAN AMENDMENT FROM RURAL RESIDENTIAL TO SUBURBAN RESIDENTIAL AND REZONE FROM "RR", RURAL RESIDENTIAL TO "R1-B4", SINGLE-FAMILY RESIDENTIAL-TWO DWELLING UNITS PER ACRE FOR THE 5 ACRE PROPERTY LOCATED AT 8678 UPPER LAKE-LUCERNE ROAD, UPPERLAKE, CA (APN 004-016-44 - GARY SABALONE)

(D) GENERAL PLAN AMENDMENT FROM COMMUNITY COMMERCIAL TO HIGH DENSITY RESIDENTIAL AND REZONE FROM "C2", COMMUNITY COMMERCIAL TO "R3", MULTI-FAMILY RESIDENTIAL FOR THE 1.7 ACRE PROPERTY LOCATED AT 75 LAKE STREET, CLEARLAKE OAKS, CA (APN 035-231-49 - COUNTY OF LAKE REDEVELOPMENT AGENCY);

(E) GENERAL PLAN AMENDMENT FROM RESOURCE CONSERVATION TO RURAL LANDS AND REZONE FROM "O-B3", OPEN SPACE-320 ACRE MINIMUM PARCEL SIZE TO "RL", RURAL LANDS FOR THE 360 ACRE PROPERTY LOCATED 8490 AND 8880 KELSEY CREEK DRIVE, KELSEYVILLE, CA (APNS 007-039-05 & 007-040-01 - GARY SCHWIRBLAT); and

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| A-5 | Community Development - Code Enforcement Division | 9:45 A.M. | HEARING - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$14,696.56, LOCATED AT 433 FLINTLOCK PLACE, CLEARLAKE, CA (APN 628-240-01-00 - JANICE KRUEGER) |
| A-6 | Community Development - Code Enforcement Division | 9:50 A.M. | HEARING - NOTICE OF ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$2,580.12, LOCATED AT 4041 KENSINGTON WAY, LUCERNE, CA (APN 034-854-16-00 - JONATHAN NOONAN) |
| A-7 | Community Development - Code Enforcement Division | 10:00 A.M. | HEARING - NOTICE OF NUISANCE ABATEMENT - 10784 BACHELOR VALLEY ROAD, WITTER SPRINGS, CA (APN 023-005-09-00 - ROBERT HAMEL and LINDA HAMEL) |
| A-8 | East Lake and West Lake Resource Conservation Districts | 10:15 A.M. | DISCUSSION/CONSIDERATION OF REQUEST FROM WATERSHED COORDINATOR FOR AB 1905 FUNDS IN THE AMOUNT OF \$10,000 PER YEAR OVER A THREE YEAR PERIOD TO SUPPORT THE UPPER CACHE CREEK WATERSHED COORDINATOR PROGRAM |
| A-9 | County Administrative Office | 10:30 A.M. | CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND LAKE COUNTY COMMUNITY RADIO TO PROVIDE LOCAL MATCHING FUNDS IN THE AMOUNT OF \$30,000 TO BE USED TOWARDS THE PURCHASE OF NECESSARY EQUIPMENT TO OPERATE A RADIO BROADCAST FACILITY |
| A-10 | Special Districts | 10:45 A.M. | PROPOSED ORDINANCE AMENDING THE URGENCY ORDINANCE ADOPTING EMERGENCY WATER CONSERVATION RESTRICTIONS FOR COUNTY SERVICE AREA (CSA) #2 - SPRING VALLEY LAKES |
| | | | Continued from December 4, 2007 |
| A-11 | Community Development - Planning Division | 1:30 P.M. | PUBLIC HEARING - PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A REZONE (RZ 07-12) OF 164.25 ACRES PROPOSED FOR PEACOCK ASSOCIATES FOR METRO PCS FROM "U" (UNCLASSIFIED) TO "RR" (RURAL RESIDENTIAL) AS A CONDITION OF THE APPROVED MINOR USE PERMIT (MUP 07-23), TO ALLOW THE REPLACEMENT OF A 51 FOOT HIGH UTILITY POLE WITH A 65 FOOT HIGH UTILITY POLE FOR THE CO-LOCATION OF A WIRELESS COMMUNICATION ANTENNA AND ASSOCIATED EQUIPMENT, ADOPTION OF NEGATIVE DECLARATION BASED ON THE INITIAL STUDY 07-37; LOCATED AT 3000 STATE HIGHWAY 53, CLEARLAKE, CA (APN 010-053-28) |

NON-TIMED ITEMS

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| A-12 | Board of Supervisors | | SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS |
| A-13 | Board of Supervisors/Lake County Redevelopment Agency/Sheriff's Department (Sitting as the Board of Supervisors and the Board of Directors of Lake County Redevelopment Agency) | | CONSIDERATION OF OPTION AGREEMENT FOR PURCHASE OF REAL PROPERTY FOR DEVELOPMENT OF A SHERIFF'S SUBSTATION TO BE LOCATED AT 6222 AND 6224 EAST HIGHWAY 20, LUCERNE, CA (NOBLE PROPERTY - APNs -34-123-01 and 034-123-02) |

- A-14 County Administrative Office CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND HOSPICE SERVICES OF LAKE COUNTY TO PROVIDE FUNDS IN THE AMOUNT OF \$50,000 TO BE USED TOWARDS THE HIRING OF A PROFESSIONAL DESIGN FIRM TO COMPLETE A FUNCTIONAL SPACE ANALYSIS TO DETERMINE THE SIZE AND COST OF CONSTRUCTING A NEW HOSPICE SERVICES FACILITY
- A-15 County Administrative Office CONSIDERATION OF PROPOSED CONTRACT BETWEEN THE COUNTY OF LAKE AND JUDICIAL COUNCIL OF CALIFORNIA, ADMINISTRATIVE OFFICE OF THE COURTS (AOC) TO PROVIDE LOCAL MATCHING FUNDS IN THE AMOUNT OF \$10,000 TO BE USED FOR THE DEVELOPMENT OF A COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM IN LAKE COUNTY
- A-16 Sheriff's Department UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 25, 2007, REGARDING WATER DAMAGE REPAIRS AT THE HILL ROAD CORRECTIONAL FACILITY
- A-17 Special Districts UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 11, 2007, REGARDING MT. HANNAH WATER TANK REPLACEMENT
- A-18 Special Districts (A) PROPOSED RESOLUTION AUTHORIZING A LOAN OF AVAILABLE COUNTY FUNDS AND APPROPRIATING SAID FUNDS TO THE COUNTY SERVICE AREA REVOLVING FUND FOR TRANSFER TO BUDGET UNIT NO. 8462 - COUNTY SERVICE AREA (CSA) #2 - SPRING VALLEY - (FOR CONSTRUCTION OF THE QUAIL TRAIL BRIDGE - LOAN AMOUNT INCLUDES REQUEST FOR A \$10,000 INCREASE IN THE AMOUNT PREVIOUSLY APPROVED BY THE BOARD); and

(B) PROPOSED RESOLUTION APPROPRIATING UNANTICIPATED REVENUE (RECEIVED FROM A LOAN OF AVAILABLE COUNTY FUNDS IN THE AMOUNT OF \$167,850) TO PAY FOR CONSTRUCTION OF QUAIL TRAIL BRIDGE - BUDGET UNIT NO. 8462 - SPRING VALLEY COUNTY SERVICE AREA (CSA) #2
- A-19 District Attorney (A) CONSIDERATION OF PROPOSED RESOLUTION APPROPRIATING UNANTICIPATED REVENUE IN ORDER TO PURCHASE NEW VEHICLES FOR THE DISTRICT ATTORNEY'S OFFICE; and

(B) CONSIDERATION OF REQUEST TO WAIVE THE FORMAL BID PROCESS AND AUTHORIZE THE PURCHASING AGENT TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$17,827.24 TO KATHY FOWLER CHEVROLET FOR PURCHASE OF A USED 2007 CHEVROLET IMPALA
- A-20 Department of Agriculture **Advanced from December 11, 2007**
AN ORDINANCE ESTABLISHING FEES FOR REGISTRATION OF LICENSED STRUCTURAL PEST CONTROL OPERATORS - **(SECOND READING)**
- CLOSED SESSION**
- A-21 Board of Supervisors/County Counsel 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: SDA

2. Public Employee Disciplinary Action - Employee Appeal
- CONSENT AGENDA**
- C-1 Board of Supervisors APPROVE MINUTES OF THE BOARD OF SUPERVISORS MEETINGS HELD ON DECEMBER 4 and 11, 2007.
- C-2 Board of Supervisors ACKNOWLEDGE COURT APPOINTMENT OF STEVE BUCHHOLZ AS CHIEF PROBATION OFFICER ON AN EXTRA-HELP BASIS EFFECTIVE JANUARY 1, 2008, AND AUTHORIZE HOURLY RATE OF COMPENSATION TO BE EQUIVALENT TO HIS CURRENT HOURLY RATE AS A PERMANENT EMPLOYEE.
- C-3 County Administrative Office APPROVE BUDGET TRANSFER B-69 IN THE AMOUNT OF \$5,000 FROM BUDGET UNIT NO. 7999 - CONTINGENCIES TO BUDGET UNIT NO. 1011 - BOARD OF SUPERVISORS, TO COVER FEES FROM THE COUNTY' SALES TAX AUDIT FIRM, AND AUTHORIZE THE CHAIR TO SIGN.
- C-4 Library APPROVE LEAVE OF ABSENCE (MEDICAL) FOR LIBRARY ASSISTANT SOCORRO DUNCAN FOR THE PERIOD OF DECEMBER 23, 2007 THROUGH DECEMBER 23, 2008, AND AUTHORIZE CHAIR TO SIGN LEAVE OF ABSENCE REQUEST FORM.
- C-5 Public Works ADOPT RESOLUTION NO. _____ AUTHORIZING THE DIRECTOR, PUBLIC WORKS DEPARTMENT, TO SIGN A NOTICE OF COMPLETION FOR WORK PERFORMED UNDER AGREEMENT DATED NOVEMBER 5, 2007 (STORM DAMAGE REPAIR: ELK MOUNTAIN ROAD - MPM 33.7 TO 33.9, 35.6, 36.0 TO 36.1, 36.8 and 37.2).

OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD DECEMBER 18, 2007

- C-6 Public Works ADOPT RESOLUTION NO. _____ AUTHORIZING THE DIRECTOR, PUBLIC WORKS DEPARTMENT, TO SIGN A NOTICE OF COMPLETION FOR WORK PERFORMED UNDER AGREEMENT DATED JULY 10, 2007 (CONSTRUCTION OF DRAINAGE IMPROVEMENT AT LAMPSON FIELD AIRPORT).
- C-7 Public Works ADOPT RESOLUTION NO. _____ AUTHORIZING THE DIRECTOR, PUBLIC WORKS DEPARTMENT, TO SIGN A NOTICE OF COMPLETION FOR WORK PERFORMED UNDER AGREEMENT DATED AUGUST 28, 2007 (CONSTRUCTION ON PERINI ROAD AT SEIGLER CANYON CREEK BRIDGE REPLACEMENT PROJECT).
- C-8 Public Works ADOPT RESOLUTION NO. _____ APPROVING FINAL PARCEL MAP AND THE SIGNING OF THE FINAL PARCEL MAP (DUKES).
- C-9 Public Works APPROVE EASEMENT DEED AND DIRECT CLERK TO CERTIFY FOR RECORDATION (APN 043-071-28 - THEODORA SPEAR); and APPROVE RIGHT-OF-WAY AGREEMENT BETWEEN THE COUNTY OF LAKE AND THEODORA SPEAR FOR POINT LAKEVIEW ROAD STORM DAMAGE PROJECT AND AUTHORIZE THE CHAIR TO SIGN.
- C-10 Sheriff's Department APPROVE BUDGET TRANSFER B-70 IN THE AMOUNT OF \$23,250 FOR PURCHASE OF A FOOD DEHYDRATOR, A VACUUM SEALER, NIGHT VISION GOGGLES AND SNIPER DIGITAL TRAIL CAMERAS, BUDGET UNIT NO. 2201 - SHERIFF/CORONER (FUNDED BY DEA GRANT), AND AUTHORIZE THE CHAIR TO SIGN.
- C-11 Sheriff's Department ADOPT RESOLUTION NO. _____ TO APPROPRIATE OVER-REALIZED AND UNANTICIPATED REVENUE (RECEIVED FROM THE CALIFORNIA MULTI-JURISDICTIONAL METHAMPHETAMINE ENFORCEMENT TEAM (CAL-METT) GRANT IN THE AMOUNT OF \$86,250) TO PAY FOR COSTS ASSOCIATED WITH THE STATE'S CAL-MMET PROGRAM (6 GPS UNITS, INSPECTION MIRROR, 6 NIKON DIGITAL CAMERAS, 2 LAPTOP COMPUTERS, 5 FLASHDRIVES, 5 TACTICAL VESTS SOFTWARE, 2 NIGHT VISION MONOCULARS, GPS TRACKING SYSTEM AND AN UNDERCOVER VEHICLE) - BUDGET UNIT NO. 2201 - SHERIFF/CORONER.
- C-12 Sheriff's Department APPROVE APPLICATION FOR FINANCIAL AID FROM STATE DEPARTMENT OF BOATING AND WATERWAYS, FOR FISCAL YEAR 2008/2009 AND AUTHORIZE SHERIFF RODNEY MITCHELL TO SIGN.
- C-13 Social Services WAIVE THE 900 HOUR LIMIT FOR EXTRA-HELP ELIGIBILITY WORKER TAMI TUCKER.
- C-14 Social Services WAIVE THE 900 HOUR LIMIT FOR EXTRA-HELP ELIGIBILITY WORKER ELIZABETH FLORES.
- C-15 Social Services APPROVE THIRD AMENDMENT TO CONTRACT BETWEEN THE COUNTY OF LAKE AND CALIFORNIA ENGINEERING COMPANY, INC. FOR ADMINISTRATION OF HOUSING SERVICES IN THE AMOUNT NOT TO EXCEED \$30,000 AND AUTHORIZE THE CHAIR TO SIGN.
- C-16 Special Districts (A) ADOPT RESOLUTION NO. _____ APPROPRIATING AVAILABLE COUNTY MONEYS TO THE COUNTY SERVICE AREA REVOLVING FUND FOR A LOAN IN THE AMOUNT OF \$20,000 TO BUDGET UNIT NO. 8482 - COUNTY SERVICE AREA (CSA) #22 - MT. HANNAH (FOR FUNDING THE ACQUISITION OF RIGHTS-OF-WAY RELATED TO THE WATER TANK REPLACEMENT PROJECT; and

(B) ADOPT RESOLUTION NO. _____ APPROPRIATING UNANTICIPATED REVENUE (RECEIVED FROM A LOAN OF AVAILABLE COUNTY FUNDS IN THE AMOUNT OF \$20,000) TO PAY FOR THE ACQUISITION OF RIGHTS-OF-WAY RELATED TO THE WATER TANK REPLACEMENT PROJECT - BUDGET UNIT NO. 8482 - COUNTY SERVICE AREA (CSA) #22.
- C-17 Treasurer-Tax Collector ADOPT RESOLUTION NO. _____ APPROPRIATING UNANTICIPATED REVENUE (RECEIVED FROM RECEIVED FROM THE SUPERIOR COURT IN THE AMOUNT OF \$10,000) TO SUPPORT STAFF EXPENDITURES ASSOCIATED WITH COURT CASE TRANSFERS (EXTRA-HELP STAFF)- BUDGET UNIT NO. 1122 - TREASURER-TAX COLLECTOR.

BOARD OF DIRECTORS - LAKE COUNTY SANITATION DISTRICT

- C-18 LACOSAN APPROVE SEWER MAINLINE EXTENSION AGREEMENT BETWEEN THE LAKE COUNTY SANITATION DISTRICT AND MOHAMMED HUSSAIN, APNs 003-034-49 and 003-034-50 (775 WEST STATE HIGHWAY 20, UPPER LAKE) AND AUTHORIZE THE CHAIR TO SIGN.
- C-19 LACOSAN ADOPT RESOLUTION NO. _____ APPROPRIATING UNANTICIPATED REVENUE (RECEIVED FROM THE HEBEMATOLEL POMO UPPER LAKE INDIAN TRIBE IN THE AMOUNT OF \$368,100) TO PAY FOR THE NORTHWEST REGIONAL WASTEWATER TREATMENT FACILITY COLLECTION SYSTEM REHABILITATION - BUDGET UNIT NO. 8350 - LACOSAN.

Board Action on Consent Agenda: _____