

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.

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.

OCTOBER 16, 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 Public Works **9:15 A.M.** (a) **PUBLIC HEARING** - PROTEST HEARING FOR THE PROPOSED ESTABLISHMENT OF CSA 23 - "ZONE M" (RIVIERA HEIGHTS) AND IMPOSING OF ASSESSMENTS

A-5 Community Development - Planning Division **9:30 A.M.** Continued From August 7, 2007 **PUBLIC HEARING** - PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF A TWO (2) YEAR EXTENSION OF TIME OF A TENTATIVE SUBDIVISION MAP TO CREATE 69 RESIDENTIAL LOTS ON 17 ACRES AND RECONSIDERATION OF THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION FOR THIS PROJECT BASED ON INITIAL STUDY (IS 03-47) APPLICANT DOMINIC AFFINITO; LOCATED AT 6965 HAMMOND AVENUE, NICE, CA (APN 031-052-17 AND 22

- A-6 Community Development - Code Enforcement Division **9:45 A.M. HEARING** - NOTICE OF NUISANCE ABATEMENT - 12960 and 12966 FIRST STREET, CLEARLAKE OAKS, CA (APNs 035-372-33-00 and 035-372-32-00 - CINDY LEE CLEVELAND)
- A-7 Community Development - Code Enforcement Division **10:00 A.M. HEARING** - NUISANCE ABATEMENT ASSESSMENT CONFIRMATION AND PROPOSED RECORDATION OF NOTICE OF LIEN IN THE AMOUNT OF \$11,784.20 - 10360 ELK MOUNTAIN ROAD, UPPER LAKE, CA (APN 004-002-11-00 - ESTATE OF GENEVA NEIL)
- A-8 Board of Supervisors **10:10 A.M.** PRESENTATION OF PROCLAMATION COMMENDING EL PASO CORPORATION FOR ITS ENVIRONMENTAL STEWARDSHIP IN LAKE COUNTY
- A-9 Community Development - Code Enforcement Division **10:15 A.M. HEARING** -NOTICE OF NUISANCE ABATEMENT - 9847 WITTER SPRINGS ROAD, WITTER SPRINGS, CA (APN 003-029-11-00 - LILA BENNETT)
- A-10 Public Works **11:15 A.M.** PROPOSED ORDINANCE ESTABLISHING CONSTRUCTION TRAFFIC ROAD FEES TO AMELIORATE THE DAMAGE DONE TO COUNTY ROADS AS A RESULT OF CONSTRUCTION ACTIVITY
- A-11 Supervisor Farrington **11:30 A.M.** (a) PRESENTATION BY MARKETING MANAGER FOR LAKESIDE LANES ARRON YORK REGARDING THEIR PLANS TO CONSTRUCT AN INDOOR SKATE PARK WITHIN THE BOWLING ALLEY; and (b) CONSIDERATION OF PROPOSED LETTER OF SUPPORT OF THE INDOOR SKATE PARK

NON-TIMED ITEMS

- A-12 Board of Supervisors SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS
- A-13 County Administrative Office/ Human Resources
- (a) CONSIDERATION OF APPROVAL OF PERSONNEL RULES 1503.15 AND 1502.25 TO ALLOW NEW EMPLOYEES WHO WORKED FOR ANOTHER CITY OR COUNTY IMMEDIATELY PRIOR TO BEING HIRED BY THE COUNTY OF LAKE TO USE THEIR VACATION AND SICK LEAVE CASH OUT FROM THEIR PRIOR EMPLOYER TO PURCHASE VACATION AND SICK LEAVE HOURS IN LAKE COUNTY;
- (b) CONSIDERATION OF MODIFICATION OF PERSONNEL RULE 1503 TO ALLOW COUNTY EMPLOYEES TO USE SICK LEAVE IN THE PAY PERIOD AFTER IT IS ACCRUED (REMOVING THE CURRENT THREE MONTH WAITING PERIOD FOR NEW EMPLOYEES);
- (c) CONSIDERATION OF MODIFICATION OF PERSONNEL RULES 1701 AND 1705 TO ALLOW DEPARTMENT HEADS TO OFFER ALTERNATIVE WEEKLY WORK SCHEDULES (e.g. THE 9/80 SCHEDULE) OR ALTERNATIVE DAILY SCHEDULES (e.g. 7:30 A.M. - 4:30 P.M.; 8:30 A.M. - 5:30 P.M. ; 9:00 A.M. - 5:30 P.M. WITH A ½ HOUR LUNCH);
- (d) CONSIDERATION OF PROPOSED AMENDMENT NUMBER TWO TO THE FISCAL YEARS 2006-2008 MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF LAKE AND THE LAKE COUNTY DEPUTY DISTRICT ATTORNEY'S ASSOCIATION;
- (e) CONSIDERATION OF PROPOSED AMENDMENT NUMBER TWO TO THE FISCAL YEARS 2006-2008 MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF LAKE AND THE LAKE COUNTY CORRECTIONAL OFFICERS' ASSOCIATION UNIT NUMBER 6
- (f) CONSIDERATION OF PROPOSED AMENDMENT NUMBER TWO TO THE FISCAL YEARS 2006-2008 MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF LAKE AND THE LAKE COUNTY SHERIFF'S DEPUTIES ASSOCIATION;
- (g) CONSIDERATION OF PROPOSED AMENDMENT NUMBER TWO TO THE FISCAL YEARS 2006-2008 MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF LAKE AND THE LAKE COUNTY EMPLOYEE'S ASSOCIATION UNIT NUMBER 3;
- (h) CONSIDERATION OF PROPOSED AMENDMENT NUMBER TWO TO THE FISCAL YEARS 2006-2008 MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF LAKE AND THE LAKE COUNTY EMPLOYEE'S ASSOCIATION UNIT NUMBER 4;
- (i) CONSIDERATION OF PROPOSED AMENDMENT NUMBER TWO TO THE FISCAL YEARS 2006-2008 MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE COUNTY OF LAKE AND THE LAKE COUNTY EMPLOYEE'S ASSOCIATION UNIT NUMBER 5;
- (j) CONSIDERATION OF PROPOSED RESOLUTIONS AMENDING THE SALARIES AND BENEFITS FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES TO ALLOW NEW EMPLOYEES WHO WORKED FOR ANOTHER CITY OR COUNTY WITHIN 30 DAYS IMMEDIATELY PRIOR TO BEING HIRED BY THE COUNTY OF LAKE TO APPLY YEARS OF SERVICE IN THE PRIOR CITY OR COUNTY TOWARDS THE VACATION LEAVE ACCRUAL RATE IN LAKE COUNTY

(k) CONSIDERATION OF PROPOSED NEW EMPLOYEE RELOCATION EXPENSE POLICY TO PROVIDE A RELOCATION EXPENSE REIMBURSEMENT OF UP TO \$1,000 FOR NEW EMPLOYEES IN CERTAIN HARD-TO-FILL CLASSIFICATIONS

(l) CONSIDERATION OF PROPOSED REIMBURSEMENT PROGRAM FOR PROFESSIONAL GROWTH AND EDUCATION DEVELOPMENT OF EMPLOYEES TO PROVIDE TUITION REIMBURSEMENT FOR EMPLOYEES SEEKING PROFESSION TRAINING FOR HARD-TO-FILL CLASSIFICATIONS AND OTHER PROFESSIONAL DEVELOPMENT

A-14 Supervisor Brown

UPDATE ON THE COBB GEOTHERMAL MITIGATION FUND

A-15 Public Services

(a) CONSIDERATION OF REQUEST FOR WAIVER OF THE FORMAL BIDDING PROCESS AND MAKE A DETERMINATION THAT COMPETITIVE BIDDING WOULD PRODUCE NO ECONOMIC BENEFIT TO THE COUNTY FOR PURCHASE OF COURTHOUSE SCAFFOLDING; and (b) AUTHORIZE THE PUBLIC SERVICES DEPARTMENT TO ISSUE PURCHASE ORDER TO SKY CLIMBER IN THE AMOUNT OF \$17,292.28, FOR PURCHASE OF COURTHOUSE SCAFFOLDING

A-16 Community Development -
Planning Division

REVIEW AND CONSIDERATION OF WHETHER URGENCY INTERIM ORDINANCE ESTABLISHING A TEMPORARY MORATORIUM ON THE APPROVAL OF APPLICATIONS TO CONSTRUCT, MODIFY, OR PLACE WIRELESS COMMUNICATION FACILITIES SHOULD BE EXTENDED

A-17 Sheriff's Department

UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 25, 2007 REGARDING WATER DAMAGE REPAIRS AT THE HILL ROAD CORRECTIONAL FACILITY

A-18 Sheriff's Department

(a) CONSIDERATION OF REQUEST TO WAIVE THE FORMAL BIDDING PROCESS FOR PURCHASE OF SIXTEEN (16) VEHICLES, AND MAKE A DETERMINATION THAT COMPETITIVE BIDDING WOULD PRODUCE NO ECONOMIC BENEFIT TO THE COUNTY; and (b) APPROVE THE PURCHASE OF SIXTEEN (16) 2008 CROWN VICTORIA POLICE INTERCEPTOR VEHICLES FROM HOLDER FORD IN THE AMOUNT \$370,555.68

A-19 Special Districts

PROPOSED RESOLUTION AMENDING RESOLUTION NO 2007-177 ESTABLISHING POSITION ALLOCATIONS FOR FISCAL YEAR 2007-2008, BUDGET UNIT NO. 8695, SPECIAL DISTRICTS ADMINISTRATION (ADDING ONE DEPUTY SPECIAL DISTRICT ADMINISTRATOR ALLOCATION FOR A TEMPORARY PERIOD THROUGH APRIL 30, 2008)

A-20 Special Districts (Sitting as the Board of

Directors of Lake County Sanitation District
and the Board of Supervisors)

(a) CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE LAKE

COUNTY SANITATION DISTRICT AND FORESIGHT CONSULTING SERVICES FOR RATE AND FINANCIAL STUDY FOR WATER AND SEWER SYSTEMS MANAGED BY SPECIAL DISTRICTS;

(b) PROPOSED RESOLUTION AUTHORIZING THE CANCELLATION OF SPECIAL DISTRICTS DESIGNATED O & M RESERVES IN THE AMOUNT OF \$31,776 AND TO BE APPROPRIATED IN FUND 295, BUDGET UNIT 8695 - SPECIAL DISTRICTS ADMINISTRATION, TO COVER COSTS OF THE AGREEMENT WITH FORESIGHT CONSULTING SERVICES; and

(c) PROPOSED RESOLUTION APPROPRIATING UNANTICIPATED REVENUE IN THE AMOUNT OF \$135,000 (\$20,000 FOR ANALYSIS AND DESIGN OF SOUTHEAST RESERVOIR REPLACEMENT; \$39,775 TO SUPPLEMENT THE NORTHWEST RESERVOIR VALVE REPLACEMENT; \$65,225 TO PAY LACOSAN'S SHARE OF RATE ANALYSIS BY FORESIGHT; and \$10,000 TO BE PLACED INTO THE CAPITAL IMPROVEMENT DESIGNATED RESERVE), BUDGET UNIT 8350 - LACOSAN

CLOSED SESSION

A-21 Board of Supervisors/County Counsel

1. Public Employee Performance Evaluation:

Title: Mental Health Director

2. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: SDA

3. Conference with Legal Counsel - Anticipated Litigation - (a) Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9: One Potential Case

CONSENT AGENDA

C-1 Board of Supervisors

APPROVE MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD ON SEPTEMBER 25, 2007 and OCTOBER 2, 2007.

C-2 Board of Supervisors

ADOPT PROCLAMATION COMMENDING EL PASO CORPORATION FOR ITS ENVIRONMENTAL STEWARDSHIP IN LAKE COUNTY.

C-3 Supervisor Rushing

APPOINT SOCIAL SERVICES DIRECTOR CAROL HUCHINGSON TO THE NORTH CENTRAL COUNTIES CONSORTIUM GOVERNING BOARD, IN PLACE OF SUPERVISOR RUSHING.

OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD OCTOBER 16, 2007

- C-4 Supervisor Rushing ADOPT RESOLUTION NO. _____ SUPPORTING THE DESIGNATION OF TALLMAN HOTEL IN UPPER LAKE, CALIFORNIA FOR LISTING AS A CALIFORNIA HISTORICAL LANDMARK
- C-5 Agriculture Department ADOPT RESOLUTION NO. _____ APPROVING AGREEMENT 07-0496 WITH THE STATE OF CALIFORNIA; DEPARTMENT OF FOOD AND AGRICULTURE AND AUTHORIZING EXECUTION AND SIGNATURE FOR PEST EXCLUSION ACTIVITIES FOR FISCAL YEAR 2007/2008.
- C-6 Community Development - Planning Division ADOPT RESOLUTION NO. _____ APPROVING PLANNING DIVISION TO DESTROY VOLUNTARY MERGER, CERTIFICATE OF COMPLIANCE AND LOT LINE ADJUSTMENT RECORDS PURSUANT TO GOVERNMENT CODE SECTION 26202.

- C-7 Community Development - Planning Division (a) ADOPT RESOLUTION NO. _____ APPROVING THE FINAL SUBDIVISION MAP FOR RIM ROCK RANCH VINEYARD ESTATES SUBDIVISION; and (b) APPROVE AGREEMENT BETWEEN THE COUNTY OF LAKE AND RIM ROCK RANCH, LLC, FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS REQUIRED BY THE TENTATIVE MAP APPROVAL, AND AUTHORIZE THE CHAIR TO SIGN.
- C-8 Lakeport Unified School District APPROVE AMENDMENT TO LAKEPORT UNIFIED SCHOOL DISTRICT'S CONFLICT OF INTEREST CODE, ADOPTED BY THE GOVERNING BOARD ON SEPTEMBER 13, 2007.
- C-9 Mental Health APPROVE AGREEMENT BETWEEN THE COUNTY OF LAKE AND VILLA SANTA MARIA FOR MENTAL HEALTH RESIDENTIAL TREATMENT PROGRAM FOR CHILDREN, IN THE AMOUNT OF \$80,000, AND AUTHORIZE THE CHAIR TO SIGN.
- C-10 Public Services ADOPT RESOLUTION NO. _____ REJECTING BIDS SUBMITTED FOR CONSTRUCTION OF LOW STONE ARCHED WALL AT NYLANDER PARK IN CLEARLAKE OAKS, CALIFORNIA AND DECLARING THAT THE PROJECT CAN BE DONE MORE ECONOMICALLY BY COUNTY EMPLOYEES.
- C-11 Public Works APPROVE ENGINEERING AND INSPECTION AGREEMENT BETWEEN THE COUNTY OF LAKE AND JOHN VAN ECK FOR REVIEW OF PLANS AND SPECIFICATIONS AND INSPECTION OF WORK AS A CONDITION OF A DESIGN REVIEW PERMIT, LOCATED AT 5795 LIVE OAK DRIVE, KELSEYVILLE, AND AUTHORIZE THE CHAIR TO SIGN.
- C-12 Public Works APPROVE ENGINEERING AND INSPECTION AGREEMENT BETWEEN THE COUNTY OF LAKE AND STEVE ELLIS and CAROL ELLIS FOR REVIEW OF PLANS AND SPECIFICATIONS AND INSPECTION OF WORK AS A CONDITION OF A MERGER RE-SUBDIVISION, LOCATED AT 9537 and 9541 STATE HIGHWAY 29, LOWER LAKE, AND AUTHORIZE THE CHAIR TO SIGN.
- C-13 Purchasing (a) APPROVE APPLICATIONS FOR ELIGIBILITY IN THE STATE SURPLUS PROPERTY PROGRAM SUBMITTED BY PROBATION, DISTRICT ATTORNEY'S OFFICE, PUBLIC WORKS AND SPECIAL DISTRICTS; and (b) APPROVE RENEWAL DOCUMENTS FOR LAKE COUNTY'S CURRENT ACCOUNT, AND AUTHORIZE THE CHAIR TO SIGN ALL THE NECESSARY DOCUMENTS.
- C-14 Treasurer-Tax Collector APPROVE CLAIMS FOR PAYMENT OF EXCESS PROCEEDS FROM TAX SALE #145 (GROUP 1) PER SECTION 4675 OF THE REVENUE AND TAXATION CODE AS RECOMMENDED IN MEMORANDUM DATED OCTOBER 2, 2007, FROM TREASURER-TAX COLLECTOR SANDRA KACHAROS.

Board Action on Consent Agenda: _____