

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.

AUGUST 5, 2008

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 the 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 Lake County Animal Care and Control Services Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter
- A-3 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-4 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-5 Clerk of the Board **9:10 A.M.** Consideration of appointments to fill vacancies on Lower Lake Waterworks District #1 Board of Directors

OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 5, 2008

- A-6 Air Quality Management District (The Board of Supervisors adjourns and convenes as the Board of Directors of the Lake County Air Quality Management District) **9:15 A.M.** (a) **PUBLIC HEARING** - Review and public comment on the proposed 2008/2009 Lake County Air Quality Management District Budget, in accordance with California Public Health and Safety Code Section 40131; and (b) Proposed Resolution to establish Post Employment Health Benefits Designation in the amount of \$80,175
- A-7 Innisfree Project **9:30 A.M.** Presentation by Rev. Shannon Kimbell-Auth about the Innisfree Project to abate homelessness in Lake County
- A-8 Board of Supervisors **10:00 A.M.** **PUBLIC HEARING** - Intention to change the name of an existing road from "Scotts Creek Drive" to "Rue Du Bateau" located in the Blue Lakes Valley Estates Subdivision No. 1, Upper Lake, California
- A-9 Administrative Office/ Public Services **10:15 A.M.** **PUBLIC HEARING** - (a) Purchase of real property consisting of approximately 176 acres of land in Kelseyville, California, located on Mt. Konocti, commonly known as Buckingham Peak (APN 009-002-09), the agreed purchase price is \$1,200,000; the seller is Buckingham Peak, LLC a California Limited Liability Company; (b) Consideration of Option to Purchase Agreement for the acquisition of property on Mt. Konocti (APNs 009-003-09, 19, 40, 41 and 45), consisting of approximately 1,512 acres for a purchase price of \$2,600,000; the Optioners are Michael Fowler and Diana Madura, Individually and as Successor Trustee of the Elsa Fowler Revocable Trust of 2002; and (c) Consideration of proposed Memorandum of Understanding between the County of Lake, Conservation Partners, and Cal-BLMX Inc., regarding the acquisition of Mt. Konocti property for conservation purposes
- A-10 Supervisor Robey **10:30 A.M.** Discussion of the creation of a Special Assessment District for the bridge over Big Canyon Creek at Ettawa Springs, Middletown
- A-11 Community Development- Code Enforcement Division **11:00 A.M.** **HEARING** - Notice of Nuisance Abatement - 11809 Widgeon Way, Clearlake Oaks, CA (APN 035-275-10 - Joan Cornett)
- A-12 Community Development- Code Enforcement Division **11:05 A.M.** **HEARING** - Notice of Nuisance Abatement - 11793 Widgeon Way, Clearlake Oaks, CA (APN 035-272-09 - Neil Bloomfield)
- A-13 Lake County Mental Health Board **11:30 A.M.** Presentation of Annual Report from the Lake County Mental Health Board
- A-14 Community Development- Planning Division **1:30 P.M.** **Continued from May 6, 2008**
PUBLIC HEARING - Appeal of Heart Consciousness Church/Harbin Hot Springs (AB 08-02) of the Planning Commission's approval of a Minor Use Permit (MUP 06-41) for Eagle Consulting on behalf of U.S. Cellular, for the construction and operation of a wireless communication facility on leased parcels, which will consist of a synthetic pine tree-type 62-foot high steel monopole with six panel antennas; project located at 19237, 19241, 19657, 19672 and 19682 Harbin Springs Road, Middletown, CA (APNs 014-240-01, 014-240-05, 014-240-06, 014-240-08 and 014-240-09)(**Clerk's Notation: US Cellular has withdrawn its application for this Minor Use Permit.**)
- A-15 Public Works- Water Resources **1:35 P.M.** Update from the Quagga Mussel Task Force and discussion regarding inspection stations and decontamination units in Lake County
- NON-TIMED ITEMS**
- A-16 Board of Supervisors Supervisors' weekly calendar, travel and reports
- A-17 Board of Supervisors Consideration of approval of Findings of Fact - Appeal of Vicious Animal Abatement Order, located at 5012 Blue Court, Kelseyville (Frances Layton)
- A-18 Board of Supervisors Consideration of approval of Findings of Fact - Appeal of James Clement (AB 08-06) of the Planning Commission's approval of a Minor Use Permit (MUP 06-63) for John and Joanne Van Eck to allow the operation of 9 commercial stables, riding academy for a maximum of 15 students per week and the construction of a carriage house/clubhouse facility (approximately 2,200 square feet) to be used for approved special events (up to 3 per year); this project is located at 4965 Steelhead Drive, Kelseyville, CA (APN 008-018-15)

- A-19 Administrative Office (a) Consideration of proposed resolution approving the necessary documents to achieve the transfer of responsibility of the Fourth Floor of the Lake County Courthouse (the Court Facility) from the County to the State and provide for the continued maintenance thereof; (b) Consideration of proposed Memorandum of Joint Occupancy Agreement; (c) Consideration of proposed Transfer Agreement between the Judicial Council of California, Administrative Office of the Courts, and the County of Lake for the transfer of responsibility for Court Facility; (d) Consideration of proposed Joint Occupancy Agreement between the Judicial Council of California, Administrative Office of the Courts, and the County of Lake; and (e) Consideration of proposed Memorandum of Understanding between County of Lake for Court Facility services relating to Lakeport Court Facility
- A-20 Superior Court Consideration of request for approval of Advanced Step Hiring (5th Step) of applicant for the position of Chief Probation Officer
- A-21 Public Works **Continued from July 22, 2008**
Consideration of proposed Agreement between the County of Lake and SHN Consulting Engineers & Geologists, Inc for engineering services for Victoria Drainage-Lucerne Channelization and Culvert Upgrade in the amount of \$27,760
- A-22 Public Works Consideration of Award of Bid No. 08-41 for one (1) new smooth single drum vibratory compactor
- A-23 Public Works Discussion and request for Board direction regarding the Falconer Property Acquisition - Lampson Field
- A-24 Administrative Office Consideration of recommended Bid Award for Clearlake Oaks Plaza Project (Bid NO 08-40)
- A-25 Sheriff Consideration of requested amendment to Uniform and Clothing Purchase Policy to allow Department to purchase such clothing and personal equipment for staff use while assigned to specialty units.

CLOSED SESSION

- A-26 Board of Supervisors/County Counsel
1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCEA, LCCOA, SDA and DDAA
 2. Sitting as the Board of Directors of the Lake County IHSS Public Authority: Conference with Labor Negotiator:
 - (a) Agency Negotiator: F. Buchanan
 - (b) Employee Organization: California United Homecare Workers
 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 meetings held on July 8, July 15 and July 22, 2008.
- C-2 Health Services Adopt Resolution No. _____ authorizing application for the Federal Hazardous Materials Emergency Preparedness Grant (HMEP) to the Governor's Office of Emergency Services for Fiscal Year 2008/2009, and authorize the Director of Health Services to sign grant application and grant.
- C-3 Health Services Adopt Resolution No. _____ approving the Maternal and Child Health (MCH) Grant Application with the State Department of Health Services for Fiscal Year 2008/2009 and authorizing the Director of Health Services to sign application and grant.
- C-4 Mental Health Approve Contract between the County of Lake and Gerardo Toribio, MD for specialty Mental Health services, in the amount of \$70,200 per year, and authorize the Chair to sign.
- C-5 Public Works Adopt Resolution No. _____ approving final parcel map and the signing of the final parcel map (Lampson).

OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 5, 2008

- C-6 Public Works Approve Grant Deed and direct Clerk to certify for recordation (A portion of Meadow Drive - Catherine Simpson, Trustee of the Catherine A. Simpson Revocable Trust of 2007); and approve Purchase Agreement between the County of Lake and Catherine Simpson for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorize the Chair to sign.
- C-7 Public Works Adopt Resolution No. _____ approving Right-of-Way Certification Main Street Kelseyville Sidewalk Project, Federal Project No. STPLE 5914 (044), and authorizing Chair to sign Right-of-Way Certificate.
- C-8 Public Works Approve Grant Deed and direct Clerk to certify for recordation (A portion of Meadow Drive - Mark E. Duncan and Kelly L. Duncan); and approve Purchase Agreement between the County of Lake and Mark E. Duncan and Kelly L. Duncan for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorize the Chair to sign.
- C-9 Public Works Approve Grant Deed and direct Clerk to certify for recordation (A portion of Meadow Drive - Carl E. Martin and Betty Martin); and approve Purchase Agreement between the County of Lake and Carl E. Martin and Betty Martin for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorize the Chair to sign.
- C-10 Public Works Approve Grant Deed and direct Clerk to certify for recordation (A portion of Meadow Drive - Dawn A. Thomas); and approve Purchase Agreement between the County of Lake and Dawn A. Thomas for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorize the Chair to sign.
- C-11 Public Works Approve Grant Deed and direct Clerk to certify for recordation (A portion of Meadow Drive - Robert W. Sonnennburg, Trustee under that certain Declaration of Trust executed 4/10/1991); and approve Purchase Agreement between the County of Lake and Robert W. Sonnennburg for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorize the Chair to sign.
- C-12 Public Works Approve Grant Deed and direct Clerk to certify for recordation (A portion of Meadow Drive - Elva Mercado); and approve Purchase Agreement between the County of Lake and Elva Mercado for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorize the Chair to sign.
- C-13 Public Works Approve Engineering and Inspection Agreement between County of Lake and Dennis De La Montanya for construction new subdivision map road and drainage improvements, located at 8245 Point Drive, Kelseyville, and authorize the Chair to sign.
- C-14 Public Works Adopt Resolution No. _____ authorizing the Director, Public Works Department, to Sign a Notice of Completion for work performed under Agreement dated May 27, 2008 (Gaddy Lane, State Street to Loasa Road Pavement Rehabilitation).

OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD AUGUST 5, 2008

- C-15 Public Works Approve Contract between the County of Lake and Pestmaster Services for vegetation control services on levee crowns, reservoir access roads, within levee cross sections, on dam faces and other appurtenant flood control structures, in the amount of \$19,522.30, and authorize the Chair to sign.
- C-16 Board of Supervisors Appoint Suzanne Lyons to the Clear Lake Advisory Subcommittee for a term expiring on January 1, 2010.
- C-17 Registrar of Voters/South Lake County Fire Protection District Approve the request and order consolidation of the South Lake County Fire Protection District's Special election with the General Municipal Election to be held on November 4, 2008, for the purpose of establishing a new appropriations limit.
- C-18 Social Services Approve Agreement between the County of Lake and the Regents of the University of California, Davis for training services, in the amount of \$55,200 (funded by State and Federal funds in the amount of \$46,920 and an In-Kind Match by UCD of \$8,280), and authorize the Chair to sign.

Board Action on Consent Agenda: _____