

REPLACEMENT

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.

FEBRUARY 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 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 Board of Supervisors **9:10 A.M.** PRESENTATION OF PROCLAMATION DESIGNATING FEBRUARY 2, 2008, AS NATIONAL GROUNDHOG JOB SHADOW DAY AND FEBRUARY 2008, AS LAKE COUNTY GROUNDHOG JOB SHADOW MONTH

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

- A-6 Community Development - Code Enforcement Division **9:15 A.M. HEARING** - NOTICE OF NUISANCE ABATEMENT - 12867 THIRD STREET, CLEARLAKE OAKS, CA (APN 035-381-04-00 -PETER HUOT and AMY HUOT)
- A-7 Community Development - Code Enforcement Division **9:30 A.M. HEARING** - NOTICE OF NUISANCE ABATEMENT - 1044 WATER TROUGH ROAD, CLEARLAKE OAKS, CA (APN 628-120-02-00 - JIMMY HEDGES)
- A-8 Community Development - Planning Division **9:45 A.M. PUBLIC HEARING** - APPEAL (AB 07-06) OF BRAD PETERS, JOHNNIE LEE AND HARRY WHITLOCK OF THE PLANNING COMMISSION'S APPROVAL OF MODIFIED TENTATIVE SUBDIVISION MAP (SD 07-02) TO ALLOW A 90+ ACRE PARCEL TO BE SUBDIVIDED INTO 4 RESIDENTIAL PARCELS BETWEEN 2.13 ACRES AND 3.00 ACRES (WITH BUILDING ENVELOPES TO MINIMIZE IMPACTS TO AGRICULTURE) AND ONE AGRICULTURAL PARCEL OF 76.15 ACRES. THIS PROJECT IS LOCATED AT 3454, 3565, 3585 AND 3595 HILL ROAD, LAKEPORT, CA (APNS 005-012-33, 005-015-35, 005-017-75 AND 005-017-77)
- A-9 Supervisor Brown **10:45 A.M.** DISCUSSION/CONSIDERATION OF REQUEST FOR AB 1905 GRANT FUNDING FOR REPLACEMENT OF THE WATER MAIN FOR COBB ESTATES
- A-10 Special Districts **11:00 A.M.** CONSIDERATION OF REQUEST TO APPOINT TWO SUPERVISORS TO ATTEND THE FIRST CONSULTANT MEETING WITH FORESIGHT CONSULTING REGARDING RATE ANALYSIS/COST OF SERVICE STUDY FOR WATER AND WASTEWATER SYSTEMS MANAGED BY SPECIAL DISTRICTS

NON-TIMED ITEMS

- A-11 Board of Supervisors SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS
- A-12 County Administrative Office PRESENTATION OF THE FISCAL YEAR 2007-2008 MIDYEAR BUDGET REVIEW and CONSIDERATION OF PROPOSED RESOLUTION REVISING APPROPRIATIONS AND REVENUE ESTIMATES IN THE FISCAL YEAR 2007-2008 FINAL BUDGET
- A-13 Mental Health PROPOSED ORDINANCE ESTABLISHING A FEE SCHEDULE FOR OUTPATIENT SUBSTANCE ABUSE COUNSELING
- A-14 Lake County Watershed Protection District (The Board of Supervisors adjourns and convenes as the Board of Directors of Lake County Watershed Protection District) APPROVE OUT-OF-STATE TRAVEL FOR WATER RESOURCES ENGINEER TOM SMYTHE, TO SPARKS, NEVADA, FROM MAY 19-23, 2008, TO ATTEND THE ASSOCIATION OF STATE FLOODPLAIN MANAGERS
- A-15 Public Works CONSIDERATION OF REQUEST FOR BOARD DETERMINATION UNDER ANTI-NEPOTISM POLICY REGARDING APPOINTMENT OF A PUBLIC WORKS WORKER I/II
- A-16 Public Works DISCUSSION/CONSIDERATION OF PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF LAKE, THE CITY OF LAKEPORT AND THE CITY OF CLEARLAKE FOR REMOVAL OF DEBRIS FROM CLEAR LAKE
- A-17 Public Works PROPOSED ORDINANCE ESTABLISHING A PRIMA FACIE SPEED LIMIT ZONE ON HAMMOND AVENUE, NICE COUNTY ROAD NO. 306, IN ITS ENTIRETY (35 MPH)
- A-18 Sheriff's Department UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 25, 2007, REGARDING WATER DAMAGE REPAIRS AT THE HILL ROAD CORRECTIONAL FACILITY
- A-19 Special Districts UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 11, 2007, REGARDING MT. HANNAH WATER TANK REPLACEMENT
- A-20 Special Districts CONSIDERATION OF PROPOSED AMENDMENT NO. 2 TO THE AGREEMENT (IN THE AMOUNT OF \$533,000) BETWEEN THE COUNTY OF LAKE AND CH2M HILL FOR WATER SYSTEM ENGINEERING SERVICES
- A-21 Department of Agriculture **Advanced from January 22, 2008** AN ORDINANCE INCREASING FEES FOR THE REGISTRATION OF FARM LABOR CONTRACTORS (AN INCREASE FROM \$10.00 PER CALENDAR YEAR TO \$25.00 PER CALENDAR YEAR) - **(SECOND READING)**
- A-22 Board of Supervisors CONSIDERATION OF AN APPOINTMENT TO THE LOWER LAKE WATER DISTRICT BOARD OF DIRECTORS

CLOSED SESSION

- A-23 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. Conference with Legal Counsel - Anticipated Litigation - Public Employee Disciplinary/Dismissal/Release - employee Disciplinary Appeal (EDA 2008-10)
 3. Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9): Scott v. County of Lake, et al.

CONSENT AGENDA

- C-1 Board of Supervisors ADOPT PROCLAMATION DESIGNATING FEBRUARY 2, 2008, AS NATIONAL GROUNDHOG JOB SHADOW DAY AND FEBRUARY 2008, AS LAKE COUNTY GROUNDHOG JOB SHADOW MONTH.
- C-2 Board of Supervisors REAPPOINT JIM WISTERMAN TO THE BOARD OF DIRECTORS OF LOWER LAKE CEMETERY DISTRICT FOR A TERM EXPIRING JANUARY 1, 2012.
- C-3 District Attorney ADOPT RESOLUTION NO. _____ AMENDING RESOLUTION NO. 2007-177 ESTABLISHING POSITION ALLOCATIONS FOR FINAL BUDGET FOR FISCAL YEAR 2007/2008, BUDGET UNIT NO. 2110 - DISTRICT ATTORNEY (TEMPORARILY INCREASING THE NUMBER OF DEPUTY DISTRICT ATTORNEY I/II/III/SENIOR ALLOCATIONS BY ONE, DUE TO AN EMPLOYEE'S EXTENDED MILITARY LEAVE).
- C-4 Information Technology (a) ADOPT RESOLUTION NO. _____ APPROPRIATING UNANTICIPATED REVENUE IN THE AMOUNT OF \$26,000 (RECEIVED FROM REFUND PAYMENTS FROM MICROSOFT COURT SETTLEMENTS) FOR PURCHASE OF OFFICE SYSTEMS FURNITURE - BUDGET UNIT NO. 1904 - INFORMATION TECHNOLOGY; and (b) APPROVE THE ISSUANCE OF A PURCHASE ORDER BY INFORMATION TECHNOLOGY DIRECTOR TO KELLER GROUP OFFICE ENVIRONMENTS (UNDER THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES STATEWIDE PROCUREMENT AWARD SCHEDULE) IN THE AMOUNT OF \$26,000 FOR THE PURCHASE OF OFFICE SYSTEMS FURNITURE.
- C-5 Mental Health AUTHORIZE MENTAL HEALTH STAFF TO PROVIDE COUNTY TRANSPORTATION FOR CLIENTS TO SACRAMENTO, ON FEBRUARY 8-10, 2008, TO ATTEND THE ANNUAL CALIFORNIA NETWORK OF MENTAL HEALTH CLIENTS, AS REQUESTED IN THE MENTAL HEALTH DIRECTOR'S MEMORANDUM DATED JANUARY 3, 2008.
- C-6 Mental Health/AODS ADOPT RESOLUTION NO. _____ APPROPRIATING UNANTICIPATED REVENUE IN THE AMOUNT OF \$23,500 (RECEIVED FROM THE DEPARTMENT OF SOCIAL SERVICES) FOR RELOCATION OF THE CALWORKS BEHAVIORAL HEALTH SERVICES (BHS) OFFICE SITE TO 14671 OLYMPIC DRIVE, CLEARLAKE - BUDGET UNIT NO. 4015 - ALCOHOL AND OTHER DRUG SERVICES).
- C-7 Mental Health/AODS APPROVE FIRST AMENDMENT TO AGREEMENT BETWEEN THE COUNTY OF LAKE AND DRUG ABUSE ALTERNATIVE CENTER (DAAC) TURNING POINT RESIDENTIAL SERVICES FOR PROVISION OF RESIDENTIAL TREATMENT (INCREASING THE AMOUNT FROM \$40,000 TO \$60,000 FOR THE PURCHASE OF MORE RESIDENTIAL BED DAYS FOR REFERRALS THROUGH THE DEPENDENCY DRUG COURT) AND AUTHORIZE THE CHAIR TO SIGN.
- C-8 Public Services Director APPROVE AMENDMENT NO. 2 TO THE CONTRACT BETWEEN THE COUNTY OF LAKE AND DAZZLING JANITORIAL SERVICES FOR JANITORIAL SERVICES FOR THE SUPERIOR COURT-CLEARLAKE DIVISION/SHERIFF'S SUBSTATION, REDBUD LIBRARY AND LOWER LAKE SCHOOLHOUSE MUSEUM (AN INCREASE TO SERVICE RATES OF \$76.14 PER MONTH) AND AUTHORIZE THE CHAIR TO SIGN.
- C-9 Public Works APPROVE LEAVE OF ABSENCE (MEDICAL) FOR ACCOUNTANT SHERRI LOLONIS FOR THE PERIOD OF FEBRUARY 1, 2008 THROUGH FEBRUARY 1, 2009 AND AUTHORIZE THE CHAIR TO SIGN LEAVE OF ABSENCE REQUEST FORM.
- C-10 Public Works ADOPT RESOLUTION NO. _____ AUTHORIZING THE DIRECTOR, PUBLIC WORKS DEPARTMENT, TO SIGN A NOTICE OF COMPLETION FOR WORK PERFORMED UNDER AGREEMENT DATED DECEMBER 26, 2007 (STORM DAMAGE REPAIR: ELK MOUNTAIN ROAD MPM 5.0).
- C-11 Public Works APPROVE EASEMENT DEED AND DIRECT CLERK TO CERTIFY FOR RECORDATION (APN 043-071-26 - STEPHEN S. MEEKER - TRUSTEE and TERRY MEEKER - TRUSTEE); and APPROVE RIGHT-OF-WAY AGREEMENT BETWEEN THE COUNTY OF LAKE AND STEPHEN S. MEEKER - TRUSTEE and TERRY MEEKER - TRUSTEE FOR POINT LAKEVIEW ROAD STORM DAMAGE PROJECT AND AUTHORIZE THE CHAIR TO SIGN.

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

- C-12 Public Works WAIVE THE 900 HOUR LIMIT FOR EXTRA-HELP PUBLIC WORKS WORKERS I's JOSEPH CARTER, BRIAN RICK AND CALIFORNIA HOWLAND.
- C-13 Public Works APPROVE PLANS AND SPECIFICATIONS FOR APPLICATION OF CAPE SEAL COATING ON VARIOUS ROADS IN THE ZONE M - RIVIERA HEIGHTS BENEFIT ZONE AND AUTHORIZE THE PUBLIC WORKS DIRECTOR/ASSISTANT PURCHASING AGENT TO ADVERTISE FOR BIDS.
- C-14 Public Works APPROVE AGREEMENT BETWEEN THE COUNTY OF LAKE AND NORTHWEST BIOSURVEY FOR TECHNICAL STUDIES FOR ER STORM DAMAGE REPAIR PROJECT IN LAKE COUNTY, IN THE AMOUNT OF \$39,405, AND AUTHORIZE THE CHAIR TO SIGN.
- C-15 Public Works APPROVE AMENDMENT TWO TO AGREEMENT BETWEEN THE COUNTY OF LAKE AND WILLDAN, INCORPORATED, FOR CONSULTATION SERVICES FOR THE REVIEW OF PLANS FOR VARIOUS PRIVATE IMPROVEMENT PROJECTS (EXTENDING THE TERM OF THE AGREEMENT FOR AN ADDITIONAL YEAR AND MODIFYING THE RATE OF COMPENSATION TO CORRESPOND WITH CURRENT HOURLY RATES).
- C-16 Treasurer-Tax Collector APPROVE THE ISSUANCE OF A PURCHASE ORDER BY TREASURER-TAX COLLECTOR TO KELLER GROUP OFFICE ENVIRONMENTS (UNDER THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES STATEWIDE PROCUREMENT AWARD SCHEDULE) IN THE AMOUNT OF \$40,057.53 FOR THE PURCHASE OF OFFICE SYSTEMS FURNITURE.
- C-17 Treasurer-Tax Collector AUTHORIZE THE TREASURE-TAX COLLECTOR TO REISSUE A CHECK FOR \$199.57 TO HORNE RANCH THAT WAS ISSUED ON JULY 31, 2000 (NEVER CASHED).
- C-18 Board of Supervisors APPROVE MINUTES OF THE BOARD OF SUPERVISORS MEETINGS HELD ON JANUARY 15 AND 22, 2008.

BOARD OF DIRECTORS - LAKE COUNTY WATERSHED PROTECTION DISTRICT

- C-19 Lake County Watershed Protection District ADOPT RESOLUTION NO. _____ AUTHORIZING THE CHAIR TO EXECUTE LEASE AGREEMENT BETWEEN THE LAKE COUNTY WATERSHED PROTECTION DISTRICT AND JOHN IRWIN (FOR LEASE OF PROPERTY LOCATED AT 1370 RECLAMATION CUTOFF ROAD AND 1405 RECLAMATION CUTOFF ROAD FOR SEEDING, MOWING AND HARVESTING OF HAY.

Board Action on Consent Agenda: _____