

# AGENDA



## COUNTY OF LAKE

### BOARD OF SUPERVISORS

- Supervisor Jim Comstock - 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.

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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 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.

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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.

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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.

## DECEMBER 1, 2009

**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> | <b>APPROVAL OF CONSENT AGENDA</b> - (See listing following the Regular Agenda) - Consent Agenda items are expected to be routine and noncontroversial. 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                         |                  | <b>CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA</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 54956.5 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 | <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-5    | <b>9:10 A.M.</b> | Presentation of Proclamation designating December as World AIDS Month in Lake County  |
| A-6    | <b>9:15 A.M.</b> | <b>Assessment Appeal Hearings:</b><br><br>James Offenbach - Application No. 2008-157 - APN 026-181-200 - located at 1600 North Main Street, Lakeport, CA<br><br>James Offenbach - Application No. 2008-158 - APN 026-181-120 - located at 1622 North Main Street, Lakeport, CA  |

**OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD DECEMBER 1, 2009**

- A-7 Lake Family Resource Center **9:45 A.M.** Presentation of report on domestic violence services provided by Lake Family Resource Center
- A-8 Lake County Redevelopment Agency (The Board of Supervisors adjourns and convenes as the Board of Directors of the Lake County Redevelopment Agency) **10:00 A.M.** Annual meeting of the Lake County Redevelopment Agency and presentation of the Agency's Annual Report for Fiscal Year 2008/2009 (Northshore Project Area)
- A-9 Supervisor Rushing **10:15 A.M.** Discussion/consideration of request to authorize the Lake County Redevelopment Agency to proceed with the purchase of a town clock as part of the Upper Lake Main Street Project
- A-10 Community Development - Planning Division **10:30 A.M.** Update concerning mitigation funding for Kelsley Creek Watershed monitoring, being requested of Bottle Rock Power, LLC and consideration of staff recommendations
- A-11 Community Development - Code Enforcement Division **11:00 A.M.** **HEARING** - Notice of Nuisance Abatement - 10865 Pine Point Road, Cobb, CA (APN 051-012-11 - Florida Alma Alvarez and Youri Bezdenejnykh)
- A-12 Lake County Community Action Agency **1:30 P.M.** Discussion/consideration of request for commitment from the Board of Supervisors regarding proposed use of vacant County property located at 15837 18<sup>th</sup> Avenue, Clearlake (approximately 15 acres), for mixed use multi-agency campus
- A-13 County Administrative Office **1:45 P.M.** Discussion/consideration of proposed resolution authorizing the submission of an application to the California Energy Commission's Energy Efficiency and Conservation Block Grant Program to develop an Energy Efficiency and Alternative Energy Financing Program
- A-14 Supervisors Brown and Rushing **2:00 P.M.** (a) Discussion/consideration of recommendation for appointment of members to the new Genetically Engineered (GE) Crops Advisory Committee; and (b) Discussion/consideration of recommendations regarding the growing of GE crops in Lake County
- A-15 Board of Supervisors **2:30 P.M.** (a) Consideration of request from Denise Hagy (Lake Marine Construction), for waiver of Construction Traffic Road Fee in the amount of \$112, for project located at 9595 Winflower Point, Clearlake Park (APN 036-481-04); and (b) Consideration of request for waiver of all future Construction Traffic Road Fees associated with construction projects for Lake Marine Construction
- A-16 County Administrative Office **2:45 P.M.** Discussion/consideration of property owner's request for relief from penalties imposed for non payment of Nuisance Abatement Lien on property located at 3297 East Highway 20, Nice (APN 032-123-02)
- NON-TIMED ITEMS**
- A-17 Board of Supervisors Supervisors' weekly calendar, travel and reports
- A-18 Supervisor Smith Discussion and determination of Board's interest in initiating preparation of an ordinance prohibiting and/or restricting the sale of tobacco products near schools
- A-19 Supervisor Farrington **Continued from November 17, 2009**  
Discussion/consideration of proposed Resolution supporting "Repair California's" ballot amendments calling a State Constitutional Convention
- A-20 Mental Health Discussion/consideration of proposed Contract between the County of Lake and Gerardo Toribio, M.D. for specialty mental health services for Fiscal Year 2009/2010, not to exceed \$22,500
- A-21 Public Works **Continued from November 17, 2009**  
(a) Consideration of recommendation for award of Bid No. 10-15 for the purchase of one new 2009/2010 full size 4-wheel drive, extended cab/super cab dual rear wheel, flat-bed truck; (b) Consideration of report and staff recommendation in response to the Board's previous directive to research the availability of a used vehicle in lieu of purchasing a new vehicle
- A-22 Public Works Discussion/consideration of award of Bid No. 10-14 to Holder Ford in the amount of \$86,942.34, for the purchase of three identical 2010 full sized ½ ton 4-wheel drive, extended cab/supercab, short bed pickup

- A-23 Auditor-Controller
- Continued from November 17, 2009**  
Discussion/consideration of request for authorization to destroy Time Reports and Hours Proofs for Fiscal Year 2003/2004 and earlier; Vacation and Sick Leave Accruals for Fiscal Year 2003/2004 and earlier (retain year end balances); Quarter to Date Reports for Fiscal Year 2003/2004 and earlier; Department Time Sheets for Fiscal Year 2003/2004 and earlier; Unsecured Tax Rolls for Fiscal Year 2003/2004 and earlier; Secured Tax Rolls for Fiscal Year 1996/1997 and earlier; Paid Warrants for Fiscal Year 2003/2004 and earlier; and Paid Claims and Invoices for Fiscal Year 2003/2004 and earlier; and Deposit Permits for Fiscal Year 2003/2004 and earlier

**CLOSED SESSION**

- A-24 Board of Supervisors/County Counsel
1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: DDAA and LCEA
  3. Conference with Legal Counsel - Existing Litigation - (Subdivision (a) of Section 54956.9): California Sportfishing Alliance v. County of Lake, et al.
  3. Public Employee Performance Evaluation:  
Title: Information Technology Director

**CONSENT AGENDA**

- C-1 Board of Supervisors  
Approve Minutes of the Board of Supervisors meeting held on November 17, 2009.
- C-2 Board of Supervisors  
Adopt Proclamation designating December as World AIDS Month in Lake County.
- C-3 County Administrative Office  
Approve revised plans and specifications for Lucerne 3<sup>rd</sup> Avenue Plaza Pier Improvement Project.
- C-4 County Administrative Office/  
Mental Health  
Adopt Resolution No. \_\_\_\_\_ amending position allocations in Budget Unit No. 4014 - Mental Health (deleting one Deputy Mental Health Director - Fiscal Administration and adding one Deputy Mental Health Director - Fiscal Administration I/II).
- C-5 Department of Agriculture  
Adopt Resolution No. \_\_\_\_\_ approving Agreement #09-0593 with the State of California; Department of Food and Agriculture and authorizing execution and signature for pest detection/Light Brown Apple Moth (LBAM) activities for Fiscal Year 2009/2010.
- C-6 Health Services  
Adopt Resolution No. \_\_\_\_\_ approving the application and certification statement for the State Department of Health Care Services, CMS Branch's California Childrens Services (CCS) Administration Plan Renewal Grant for Fiscal Year 2009/2010 and authorize the Board Chair to sign said Certification Statement.
- C-7 Library  
Approve change to the County Library holiday schedule beginning 2010, as recommended in the Memorandum dated November 6, 2009, from County Librarian Susan Clayton.
- C-8 Public Works  
Adopt Resolution No. \_\_\_\_\_ approving Right of Way Certification for Lakeshore Boulevard - Class II Bike Lane Project (ESPLE-5914 (062) North Lakeport).
- C-9 Public Works  
Approve Engineering and Inspection Agreement between County of Lake and Kurt Steil and Gary Johnson for review of plans and specifications and inspection of work for a Merger Re-subdivision (MRS 08-02), located at 16756 Butts Canyon Road, Middletown (APNs 014-003-83 and 014-140-05), and authorize the Chair to sign.
- C-10 Public Works  
Approve Grant Deed and direct Clerk to certify for recordation (a portion of APN 034-463-27 - Gladys J. Donohue), and approve Purchase Agreement between the County of Lake and Gladys J. Donohue for Robinson Road Storm Damage Project located in Lakeport, and authorize the Chair to sign.
- C-11 Public Works  
Adopt Resolution No. \_\_\_\_\_ authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated September 18, 2009 (Butts Canyon Road PM 7.96 to 8.06 Storm Damage Repair; Bid No. PW 09-08).
- C-12 Public Works  
Adopt Resolution No. \_\_\_\_\_ authorizing the Director, Public Works Department, to sign a Notice of Completion for work performed under agreement dated September 18, 2009 (Butts Canyon Road PM 8.84 to 8.97 Storm Damage Repair; Bid No. 09-40).

**OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD DECEMBER 1, 2009**

- C-13 Public Works Adopt Resolution No. \_\_\_\_\_ temporarily prohibiting parking and authorizing removal of vehicles and ordering the Department of Public Works to post signs (temporarily prohibiting parking on Hartmann Road from Coyote Valley Road to Hidden Valley Road, on December 5, 2008, from 4:00 p.m. to 9:00 p.m., during the Annual Community Holiday Tree Lighting event).
- C-14 Public Works Approve staff's recommendation to reject all bids for the construction of Soda Bay Road Rehabilitation and Overlay MP 11.9 to 13.8.
- C-15 Public Works Approve revised plans and specifications for Soda Bay Road Rehabilitation and Overlay MP 11.5 to 13.8.
- C-16 Registrar of Voters (a) Accept Statement of Write-In Votes Cast for a qualified write-in candidate for the office of governing board member of to the Upper Lake Union Elementary School Districts; ;and (b) Accept Certified Statement of Votes Cast in the November 3, 2008, Consolidated General District Election.
- C-17 Sheriff's Department Approve Contract between the County of Lake and the State Department of Boating and Waterways, for purchase of a replacement patrol boat and trailer (awarded a grant in the amount of \$80,000 from the State Department of Boating and Waterways), and authorize the Chair to sign.

**Board Action on Consent Agenda: \_\_\_\_\_**