



Minutes

County of Lake Board of Supervisors

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JANUARY 17, 2006

The Honorable Board of Supervisors of Lake County, California, met in regular session this 17th day of January, 2006, there being present Supervisors Ed Robey, Jeff Smith, Gary Lewis, Anthony Farrington, Administrative Officer Kelly Cox, County Counsel Anita Grant and Board Secretary Donna De Maria. Supervisor Brown was absent all day.

The meeting was called to order at 9:03 a.m. by Chair Farrington. Following a moment of silence, Supervisor Robey led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved Consent Agenda Items C-1 through C-15.

Approved Minutes of the Board of Supervisors Meetings held on December 13 and 20, 2005, and January 3, 2006.

Adopted Resolution No. 2006-18, pertaining to tax revenue exchange for annexation to Konocti County Water District (Davis Avenue Annexation - LAFCO Project #2005-0011).

Adopted Resolution No. 2006-17, adopting 2005-2006 Memorandum of Understanding between the County of Lake and the Sheriff's Deputies Association.

Adopted Resolution No. 2006-12, approving the Health Resources and Services Administration (HRSA) grant with the State of California, Department of Health Services for fiscal year 2005/2006, and authorized the Director of Health Services to sign said Application Certification Statement and Grant.

Adopted Resolution No. 2006-13, amending Resolution No. 2005-196, establishing position allocations for fiscal year 2005-2006, Budget Unit No. 4014, Mental Health (adding one (1) Mental Health Team Leader I/II and adding one (1) Staff Services Analyst I/II).

Waived the 900 hour limit for extra-help Medical Records Technician Tara Wise.

Approved Contract between the County of Lake and Dazzling Janitorial Services, for janitorial services at Superior Court-Clearlake Division, Sheriff's Substation and Redbud Library, and authorized the Chair to sign.

(a) Rejected Bid No. 06-15, from Peterson Tractor (apparent low bidder), as non-responsive; and (b) awarded Bid No. 06-15, for purchase of one (1) John Deere 310sg backhoe to Pape Machinery, in the total amount of \$78,834, as recommended in memorandum from Public Services Director, dated December 29, 2005, and authorized Chair to sign Bid Award.

Adopted Resolution No. 2006-14, intention to establish proposed Zone D (Shadow Hills) of County Service Area No. 23, approved the Engineer's Report, the form of ballot and balloting process for the assessment, and setting a public hearing for protests and balloting determination.

Approved Agreement between the County of Lake and Green Valley Consulting, for Engineering Services for the design of the Riviera Elementary School "Safe Routes to School" Project, Kelseyville, and authorized the Chair to sign.

Adopted Resolution No. 2006-15, approving Final Parcel Map and the signing of the Final Parcel Map (Fletcher).

Approved Engineering and Inspection Agreement Between County of Lake and Maurice O'Reilly, for review of plans and specifications for a Design Review Permit (DR 05-04), located at 12595 East Highway 20, Clearlake Oaks, and authorized the Chair to sign.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APNs 10-030-02 and 10-030-07 - Charles A. Harborth and Opal D. Harborth, Trustees of the Harborth Family Trust); and approved Purchase Agreement between Charles A. Harborth and Opal D. Harborth, Trustees of the Harborth Family Trust and the County of Lake for Lake Street Bike Lane Project, and authorized the Chair to sign.

Approved claims for payment of excess proceeds from Tax Sale #143 per Section 4675 of the Revenue and Taxation Code, as recommended in memorandum dated January 5, 2006, from Treasurer-Tax Collector Kay Lytton.

Sitting as the Board of Directors of the Lake County Sanitation District, approved Easement Deed and directed Clerk to certify for recordation (APN 040-411-15 - Ralph and Mary Braun; and approved Right-Of-Way Agreement between Lake County Sanitation District and Ralph and Mary Braun, for the Lake Terrace Apartments Project, and authorized the Chair to sign.

2. **ITEM A-3 - CURRENT CONSTRUCTION PROJECTS - CONTRACT CHANGE ORDERS:**

Sitting as a Joint Board of Supervisors, on behalf of County Service Area #6 and the Board of Directors, on behalf of Kelseyville Water Works District #3.

Change Order No. 4, Kelseyville/Finley Water Improvement Project - This change order addresses the following:

1. Additional work at Merritt Road.
2. Energy dissipater at tank drain, extra rock surfacing, and additional water tank valves, fittings.
3. Water service tie-in at mobile home park on Main Street.
4. Sewer lateral conflict in driveway and installation of two water services.

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- 5. Stop work at well site to confirm new location.
- 6. A total of 35 days are added to the contract time.

On motion of Supervisor/Director Smith and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved Change Order No. 4 for an increase of \$25,827.68, Argonaut Constructors of Santa Rosa, Kelseyville/Finley Water Improvement Project, and authorized the Chair to sign.

The Board of Supervisors, on Behalf of County Service Area #6 and the Board of Directors, on behalf of Kelseyville Water Works District #3 adjourned and reconvened as the Board of Supervisors.

- 3. **ITEM A-7 - REVIEW OF LOCAL EMERGENCY DECLARED ON DECEMBER 31, 2005 (AND RATIFIED ON JANUARY 3, 2006)** - Supervisor Lewis offered Resolution No. 2006-16 (Proclamation Terminating Local Emergency), and it was passed by a roll-call vote (4 ayes, Supervisor Brown ABSENT).
- 4. **ITEM A-6 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS** - On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), approved Chair Farrington's request to proceed with a mailing of more than twenty-five letters to district residents concerning the Cristallago Project.
- 5. **ITEM A-4 - RECOMMENDATION FOR APPROVAL OF A REZONE (RZ 05-11) PROPOSED FOR LAKE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT, OF A PARCEL FROM "O" (OPEN SPACE) TO "RL" (RURAL LANDS); AND THE ADOPTION OF A NEGATIVE DECLARATION FOR RZ 05-11, BASED ON THE INITIAL STUDY 05-53; LOCATED AT 4990 CLARK DRIVE, KELSEYVILLE, CA (APN 008-042-06)** - Community Development Director Mary Jane Fagalde and Assistant Planner Matthew Joseph were present.

Mr. Joseph presented an overview of the proposed rezone. The Community Development Department is proposing a rezone of a parcel previously owned by the County. The property is now privately owned and the rezone is necessary to allow the parcel to be improved with a residence.

Chair Farrington opened the public hearing and the following persons spoke: Ms. Judy Cardinale and Mr. Dominic Cardinale. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), found that on the basis of the Initial Study No. 05-53 prepared by the Planning Division that the rezone as applied for by the County of Lake will not have a significant effect on the environment and, therefore, a negative declaration shall be issued with the findings listed in the Board Memorandum dated January 6, 2006.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), waived the reading of the ordinance and had it read in title only (Clerk so did).

Supervisor Lewis offered Ordinance No. 2760, and it was passed by a roll-call vote (4 ayes, Supervisors Brown ABSENT).

- 6. **ITEM A-5 - 9:45 A.M. - PUBLIC HEARING - APPEAL OF BYRON DUERKSEN (AB 05-05) OF THE PLANNING COMMISSION'S DENIAL OF A REQUEST FOR VARIANCE FOR A SINGLE FAMILY DWELLING THAT HAS BEEN CONSTRUCTED WITHIN THE REQUIRED SIDE YARD SETBACK; LOCATED AT 10077 FAIRWAY DRIVE, KELSEYVILLE, CA (APN 043-573-14)** - Community Development Director Mary Jane Fagalde and Assistant Planner Aaron Hollister were present.

Mr. Byron Duerksen was also present and spoke.

Chair Farrington opened the public hearing. No one was present wishing to speak and the public hearing was closed.

On motion of Supervisor Lewis and by vote of the Board (4 ayes, Supervisor Brown ABSENT), made an intended decision to deny the appeal (AB 05-05) of Byron Duerksen, and directed County Counsel to prepare proposed findings of fact.

- 7. **ITEM A-8 - CLOSED SESSION - 1. Conference with Labor Negotiators (a) County Negotiators: A. Grant and M. Perry (b) Employee Organizations: LCCOA and SDA - 2. Public Employee Performance Evaluation - Title: Social Services Director and sitting as the Board of Directors of the Lake County IHSS Public Authority: - 3. Conference with Labor Negotiator (a) Agency Negotiator: F. Buchanan (b) Employee Organization: United Domestic Workers of America** - Chair Brown announced that the Board will now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 11:20 a.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Donna De Maria
Board Secretary