



MINUTES COUNTY OF LAKE BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 16, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 16th day of October, 2007, there being present Supervisors Ed Robey, Denise Rushing, Rob Brown and Jeff Smith, Administrative Officer Kelly Cox, County Counsel Anita Grant, Assistant Clerk of the Board Georgine Hunt and Secretary Barbara Rosenthal. Supervisor Farrington was absent all day.

The meeting was called to order at 9:04 a.m. by Chair Smith, 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 Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved Consent Agenda Items C-1 through C-14, with the exception of C-7 which will be taken up later in the day.

Approved Minutes of the Board of Supervisors meeting held on September 25 and October 2, 2007.

Adopted Proclamation commending El Paso Corporation for its environmental stewardship in Lake County.

Appointed Social Services Director Carol Huchingson to the North Central Counties Consortium Governing Board, in place of Supervisor Rushing.

Adopted Resolution No. 2007-198 supporting the designation of Tallman Hotel in Upper Lake, California for listing as a California Historical Landmark.

Adopted Resolution No. 2007-199 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.

Adopted Resolution No. 2007-200 approving Planning Division to destroy voluntary merger, Certificate of Compliance and lot line adjustment records pursuant to Government Code Section 26202.

Approved Amendment to Lakeport Unified School District's Conflict of Interest Code, adopted by the governing board on September 13, 2007.

Approved 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 authorized the Chair to Sign.

Adopted Resolution No. 2007-202 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.

Approved 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 authorized the Chair to sign.

Approved 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 authorized the Chair to sign.

(A) Approved applications for eligibility in the State surplus property program submitted by Probation, District Attorney's Office, Public Works and Special Districts; and (B) Approved renewal documents for Lake County's current account, and authorized the Chair to sign all the necessary documents.

Approved 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.

2. **ITEM A-2 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

EXTRA #1 - CONSIDERATION OF REQUEST FOR BOARD DIRECTION REGARDING COUNTY PARTICIPATION IN STATE ASSEMBLY BUDGET COMMITTEE HEARING SET FOR 1:30 P.M. ON OCTOBER 16, 2007, IN SACRAMENTO, CONCERNING COUNTY'S PENDING IHSS PUBLIC AUTHORITY (PA) RATE CHANGE INQUIRY - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

This item was considered as an extra for the following reason:

The Board of Supervisors was notified after the posting of today's agenda, of the State Assembly Budget Committee Hearing, set for 1:30 p.m. this date in Sacramento. This is concerning County's pending IHSS Public Authority Rate Change Inquiry.

Social Services Director Carol Huchingson and Social Services Program Manager Michele Dibble were present.

Ms. Huchingson presented a brief summary.

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On motion of Supervisor Rushing and by vote of the Board (3 ayes, Supervisor Brown NO, Supervisor Farrington ABSENT), authorized Social Services Director Carol Huchingson and Program Manager Michelle Dibble to attend and participate in the State Assembly Budget Committee Hearing scheduled today in Sacramento.

3. **CITIZENS' INPUT** - Supervisor Rob Brown presented Skip Simkins a certificate in recognition of his extraordinary service in connection with a search and recovery operation.

Susanne LaFaver spoke on upcoming Pet Fair at Hidden Valley Lake on Saturday, October 27, 2007.

4. **ITEM A-4 - (a) PUBLIC HEARING - PROTEST HEARING FOR THE PROPOSED ESTABLISHMENT OF CSA 23 - "ZONE M" (RIVIERA HEIGHTS) AND IMPOSING OF ASSESSMENTS** - Public Works Director Gerry Shaul was present and gave a brief summary.

Chair Smith opened the public hearing and the following persons spoke: Larry Pendleton and Robert Gould. No one else was present wishing to speak and the public hearing was closed.

Staff will return with a final ballot tabulation on November 6, 2007.

5. **ITEM A-8 - PRESENTATION OF PROCLAMATION COMMENDING EL PASO CORPORATION FOR ITS ENVIRONMENTAL STEWARDSHIP IN LAKE COUNTY** - Supervisor Robey read the proclamation into the record and presented it to El Paso Corporation representatives who spoke.

6. **ITEM A-5 - 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 (APNs 031-052-17 AND 22)** - Community Development Director Rick Coel and Assistant Resource Planner Ted Elliott were present.

Chair Smith opened the public hearing and the following persons spoke: Jesse Thomas, Ron Bergsen and Dominic Affinito. No one else present was wishing to speak and the public hearing was closed.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), denied the 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 (APNs 031-052-17 and 22).

7. **ITEM A-6 - 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)** - Code Enforcement Manager Voris Brumfield and Code Enforcement Officer Kimberlee Heckard, Mr. Jeff Smith, and Cindy Cleveland were sworn in by the Clerk.

Ms. Heckard gave a power presentation on the conditions of the property.

Mr. Jeff Smith and Cindy Cleveland each presented testimony.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), adopted the order as amended, to complete abatement of the nuisance on properties located at 12960 and 12966 First Street, Clearlake Oaks, CA (APNs 035-372-33-00 and 035-372-32-00 - Cindy Lee Cleveland), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property.

8. **ITEM A-7 - 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)** - Code Enforcement Manager Voris Brumfield, Code Enforcement Officer Kimberlee Heckard, and Orville Greenwell were sworn in by the Clerk.

Mr. Greenwell presented testimony.

On motion of Supervisor Rushing and vote of the Board (4 ayes, Supervisor Farrington ABSENT), confirmed the assessment of \$11,784.20 for nuisance abatement on property located at 10360 Elk Mountain Road, Upper Lake, CA (APN 004-002-11-00 - Estate of Geneva Neil), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

9. **ITEM A-9 - HEARING - NOTICE OF NUISANCE ABATEMENT - 9847 WITTER SPRINGS ROAD, WITTER SPRINGS, CA (APN 003-029-11-00 - LILA BENNETT)** - Code Enforcement Manager Voris Brumfield and Code Enforcement Officer Kimberlee Heckard, Gail Bennett, Byron Zollo, Mr. Jeff Smith, Roberta Zollo, Dana Lawford, and Robert Stark were sworn in by the Clerk.

Gail Bennett, Byron Zollo, Mr. Jeff Smith, Roberta Zollo, Dana Lawford, and Robert Stark each presented testimony.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), the Board ordered the completion of the nuisance at 9847 Witter Springs Road, Witter Springs, CA by allowing the property owner thirty (30) days to remove the open and outdoor storage, public nuisance vehicles, and to obtain the required permits to legalize the barn, carports, shop/garage, sunroom/greenhouse, converted storage to living space and sixty (60) days to final all permits and/or authorize staff to abate the nuisance by removing all open and outdoor storage, public nuisance vehicles, and demolition of the two illegal mobile homes and all other unpermitted structures, and all costs associated with this case shall become a charge against the property.

10. **ITEM A-14 - UPDATE ON THE COBB GEOTHERMAL MITIGATION FUND** - Mr. Robert Stark gave a presentation on the Cobb Geothermal Mitigation Fund.

No Board action was taken on this item.

11. **ITEM A-10 - PROPOSED ORDINANCE ESTABLISHING CONSTRUCTION TRAFFIC ROAD FEES TO AMELIORATE THE DAMAGE DONE TO COUNTY ROADS AS A RESULT OF CONSTRUCTION ACTIVITY** - Public Works Director Gerry Shaul was present.

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Chair Smith asked if there was anyone present wishing to speak and the following people spoke: Jack Lair and Rosalie Smalls. No one else was present wishing to speak and the public portion of this Item was closed.

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

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), advanced the ordinance one week to October 23, 2007.

12. **ITEM A-11 - (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** - This item was carried over to a later date.

13. **ITEM A-17 - UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 25, 2007 REGARDING WATER DAMAGE REPAIRS AT THE HILL ROAD CORRECTIONAL FACILITY** - Public Works Director Gerry Shaul was present.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), continued the emergency action order regarding water damage repairs at the Hill Road Correctional Facility.

14. **ITEM A-15 - (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** - Public Services Director Kim Clymire was present.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), waived formal bidding process and made a determination that competitive bidding would produce no economic benefit to the County for the purchase of Courthouse scaffolding.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized the Public Services Director to issue purchase order to Sky Climber in the amount of \$17,292.28, for purchase of Courthouse scaffolding.

15. **ITEM A-18 - (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** - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the 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.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the purchase of sixteen (16) 2008 Crown Victoria Police Interceptor Vehicles from Holder Ford in the amount \$370,555.68.

16. **ITEM A-13 - (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;** - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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); - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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); - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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; - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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, and authorized the Chair to sign.

(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; - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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, and authorized the Chair to sign.

(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; - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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, and authorized the Chair to sign.

(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; - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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, and authorized the Chair to sign.

(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; - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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, and authorized the Chair to sign.

(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; - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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, and authorized the Chair to sign.

(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; - Supervisor Brown offered Resolution No. 2007-203 (Amendment No. 3 to Resolution No. 2006-167 establishing salaries and benefits for employees assigned to the Confidential Unit, Section A, for Fiscal Years 2006-2007 and 2007-2008), and it was passed by roll call vote (4 ayes, Supervisor Farrington ABSENT).

Supervisor Brown offered Resolution No. 2007-204 (Amendment No. 3 to Resolution No. 2006-167 establishing salaries and benefits for employees assigned to the Confidential Unit, Section A, for Fiscal Years 2006-2007 and 2007-2008), and it was passed by roll call vote (4 ayes, Supervisor Farrington ABSENT).

Supervisor Brown offered Resolution No. 2007-205 (Amendment No. 5 to Resolution No. 2006-166 establishing salaries and benefits for management employees for Fiscal Years 2006-2007 and 2007-2008), and it was passed by roll call vote (4 ayes, Supervisor Farrington ABSENT).

(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; - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the 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; - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved 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.

Supervisor Brown was absent at 3:22 p.m.

17. **ITEM A-19 - 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)** - Special Districts Administrator Mark Dellinger was present.

Supervisor Robey offered Resolution No. 2007-206 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), and it was passed by a roll-call vote (3 ayes, Supervisor Brown and Supervisor Farrington ABSENT).

Supervisor Brown was present at 3:26 p.m.

18. **ITEM A-20 - (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;** - The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Sanitation District.

On motion of Director Robey and by vote of the Board (4 ayes, Director Farrington ABSENT), approved 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, and authorized the Chair to sign.

The Board of Directors of Lake County Sanitation District adjourned and reconvened as the Board of Supervisors.

(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; - On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized 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.

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(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** - Supervisor Robey offered Resolution 2007-207 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, and it was passed by a roll-call vote (4 ayes, Supervisor Farrington ABSENT).

19. **ITEM A-16 - 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** - Community Development Director Rick Coel was present and gave a brief summary.

On motion by Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the extension of the Urgency Interim Ordinance establishing a temporary moratorium on the approval of applications to construct, modify, or place wireless communication facilities.

(A public hearing has been scheduled on October 23, 2007, at 11:30 a.m. for consideration of a moratorium on the approval of applications to construct, modify, or place wireless communication facilities.)

20. **ITEM C-7 - (a) PROPOSED RESOLUTION APPROVING THE FINAL SUBDIVISION MAP FOR RIM ROCK RANCH VINEYARD ESTATES SUBDIVISION; and (b) CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND RIM ROCK RANCH, LLC, FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS REQUIRED BY THE TENTATIVE MAP APPROVAL** - Community Development Director Rick Coel was present.

Supervisor Robey offered Resolution No. 2007-201 (approving the final subdivision map for Rim Rock Ranch Vineyard Estates subdivision), and it was passed by a roll-call vote (4 ayes, Supervisor Farrington ABSENT).

On motion by Supervisor Robey and by vote of the Board (4 ayes, Supervisor Farrington ABSENT) approved Agreement between the County of Lake and Rim Rock Ranch, LLC, for the construction of certain improvements required by the tentative map approval, and authorized the Chair to sign.

(Both motions were contingent upon receipt of a letter of credit for this project. A letter of credit was received on October 17, 2007.)

ITEM A-12 - SUPERVISORS WEEKLY CALENDAR, TRAVEL, AND REPORTS - On motion by Supervisor Robey and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved cancelling the December 25, 2007 and January 1, 2008 Board of Supervisors meetings.

ITEM A-21 - CLOSED SESSION 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 - Chair Smith announced the Board would now go into Closed Session for the reason stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 12:20 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Barbara Rosenthal
Deputy