

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.

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.

SEPTEMBER 15, 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 | 9:00 A.M. | APPROVAL OF CONSENT AGENDA - (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 | | 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 | 9:15 A.M. | Assessment Appeal Hearing:

(a) Thomas Johnson - Application No. 2008-236 - Assessment Parcel No. 041-183-440; located at 16065 34 th Avenue, Clearlake, CA

(b) William Kenna - Application No. 2008-238 - Assessment Parcel No. 013-013-410; located at 21428 Jerusalem Grade, Lower Lake, CA |

OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 15, 2009

- A-6 Special Districts **9:45 A.M.** Discussion/consideration of expansion of membership of the Seismic Monitoring Advisory Committee (SMAC) (adding one representative from the following: Lawrence Berkeley National Laboratory, Alta Rock Energy Inc., County of Lake Community Development Department, Bottle Rock Power Company, City of Santa Rosa and Western Geopower Company), and approval of the amended Supplemental Plan and Membership of SMAC
- A-7 Special Districts **10:00 A.M.** (a) Consideration of proposed Funding Agreement between the County of Lake and the U.S. Department of Energy for the operation and management of the Geysers-Wide Seismic Monitoring Array (funding provided by a U.S. Department of Energy grant and cost share matching fund provided by Calpine Corporation); and

(b) Consideration of proposed Service Agreement between the County of Lake and Lawrence Berkeley National Laboratory for the operation and management of the Geysers-Wide Seismic Monitoring Array
- A-8 Board of Supervisors **10:15 A.M.** Presentation of Proclamation designating the week of September 20-26, 2009 as "Adult Day Services Week" in Lake County
- A-9 Community Development - Code Enforcement **10:30 A.M.** **HEARING** - Notice of Nuisance Abatement - 7120 Morton Street, Nice, CA (APN 030-182-30 - Edward J. Tiscornia, Jr.)
- A-10 Community Development - Code Enforcement **11:15 A.M.** **HEARING** - Notice of Nuisance Abatement - 6948 Juniper Avenue, Kelseyville, CA (APN 044-372-08 - Benjamin Espinoza, III)
- A-11 Board of Supervisors **11:30 A.M.** **PUBLIC HEARING** - Purchase of real property consisting of approximately 1,344 acres of land located on Mt. Konocti (APNs 009-003-09, 009-003-19, 009-003-40, 009-003-41 and 009-003-45), the agreed purchase price is \$2,600,000 and the seller is Michael Fowler and Diana Madura, individually and as Successor Trustee of the Elsa Fowler Revocable Trust of 2002
- A-12 Community Development **1:30 P.M.** **PUBLIC HEARING** - Discussion/consideration of Shoreline Communities Area Plan (GPAP 09-02) the rezoning of lands within the Area Plan (RZ 09-05) and to review, consider and recertify, if necessary, the Final Environmental Impact Report (EIR 09-01) for the Area Plan
- A-13 Supervisors Comstock and Brown **3:30 P.M.** Discussion/consideration of an interim urgency ordinance imposing a temporary moratorium on the establishment of medical marijuana dispensaries in the County of Lake

NON-TIMED ITEMS

- A-14 Board of Supervisors Supervisors' weekly calendar, travel and reports
- A-15 Board of Supervisors Consideration of proposed response to the Fiscal Year 2008/2009 Grand Jury Final Report
- A-16 Kelseyville County Waterworks District No. 3 (The Board of Supervisors adjourns and convenes as the Board of Directors of Kelseyville County Waterworks District No. 3) Consideration of award of Bid No. 09-26 for the Kelseyville Wastewater Treatment Facilities Improvement Project

CLOSED SESSION

- A-17 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
 2. Public Employee Performance Evaluations: Titles: Director of Child Support Services

CONSENT AGENDA

- C-1 Board of Supervisors Adopt Proclamation designating the week of September 20-26, 2009 as "Adult Day Services Week" in Lake County.
- C-2 Board of Supervisors Approve Agreement between the County of Lake and the Lucerne Alpine Seniors, Inc. for the purpose of providing funding to make repairs to the Lucerne Senior Citizens Center building (not to exceed \$15,000), and authorize the Chair to sign.
- C-3 Department of Agriculture Adopt Resolution No. _____ approving Agreement 09-C0015 with the State of California, Department of Pesticide Regulation and authorizing execution and signature for the electronic submission of pesticide use data during Fiscal Year 2009/2010.

OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 15, 2009

- C-4 Public Services Approve Contract between the County of Lake and SCS Engineers for Landfill Gas Feasibility Study (not to exceed \$25,130), and authorize the Chair to sign.
- C-5 Public Works Approve Grant Deed and direct Clerk to certify for recordation (APN 002-025-36 - Vonna McCabe - Trustee), and approve Purchase Agreement between the County of Lake and Vonna McCabe for Elk Mountain Road Storm Damage Project and authorize the Chair to sign.
- C-6 Public Works Adopt Resolution declaring intent to vacate a portion of a roadway, Ponderosa Lane, located along the westerly boundary of the Villa Blue Estates Subdivision (Blue Lakes), Upper Lake area, and set public hearing on **October 6, 2009, at 11:00 a.m.**

BOARD OF DIRECTORS - LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

- C-7 Air Quality Management District Approve out of state travel for Senior Air Quality Specialist Elizabeth Knight to Nashville, Tennessee, from November 2-5, 2009, to attend the 2009 National Ambient Air Monitoring Conference (all costs to be paid for by Federal EPA grant funding).

BOARD OF DIRECTORS - KELSEYVILLE COUNTY WATERWORKS DISTRICT NO. 3

- C-8 Kelseyville County Waterworks Approve Easement Deed and direct Clerk to certify for recordation (APN 008-062-30 - Leah Palmer), and approve Purchase Agreement between the County of Lake and Leah Palmer for the new construction of a sanitary sewer line and authorize the Chair to sign.

Board Action on Consent Agenda: _____