

# 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.

## AUGUST 17, 2010

**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)

- Continued from June 22, 2010**
- A-5 Community Development - Planning Division **9:15 A.M.** **PUBLIC HEARING** - Appeal (AB 10-01) of Houser Holdings CA, LLC (U Wanna Camp) of the Planning Commission's denial of Administrative Appeal (AA 09-02) to the Notice of Violation issued on September 3, 2009, in conjunction with Case #RC98, regarding the long-term occupancy of RV spaces on a site with an expired use permit; located at 2699 Scotts Creek Road, Lakeport, CA (APN 005-026-27) **(Appellant has requested a continuance to September 14, 2010, at 10:30 a.m.)**
- A-6 Community Development **9:20 A.M.** Request for Board direction regarding draft amendment to the Lake County Zoning Ordinance of winery and wine-related special events definition
- A-7 Community Development - Code Compliance Division **10:00 A.M.** **HEARING** - Summary Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$1,004.17 - 19214 Moon Ridge Road, Hidden Valley Lake, CA (141-352-140 - Daniel Darnell)
- A-8 Lake One Stop **10:05 A.M.** Annual report of Lake One Stop activities and future plans
- Continued from August 3, 2010**
- A-9 Community Development-Planning Division **10:30 A.M.** **PUBLIC HEARING** - Appeal of Brian Case of the Planning Commission's denial of a General Plan Amendment (GPAP 10-01) from Agriculture and Rural Lands to Industrial and Rural Lands and a Rezone (RZ 10-01) from "A-SC-WW-FF" (Agriculture-Scenic-Waterway-Floodway Fringe) and "RL-WW-FF" (Rural Lands-Waterway-Floodway Fringe) to "M1-WW-FF" (Commercial/Manufacturing-Waterway-Floodway Fringe) and "RL-W-FF" (Rural Lands-Waterway-Floodway Fringe); located at 12942 and 12982 Highway 29, Lower Lake, CA (APNs 012-023-260 and 012-023-270)
- Continued from August 3, 2010**
- A-10 Community Development-Planning Division **1:30 P.M.** **PUBLIC HEARING** - Draft Middletown Area Plan Update (GPAP 09-05), the rezoning of lands within the Area Plan (RZ 09-09) and the Environmental Impact Report (EIR 09-05) (the plan proposes to amend the general plan and rezone portions of approximately 150 square miles of unincorporated territory of Lake County including the communities of Middletown, Hidden Valley Lake and Anderson Springs, along with the outlying rural areas; and includes all or portions of Assessor's Parcel Books 013, 014, 024, 050, 136, 141, 142 and 144)

**NON-TIMED ITEMS**

- A-11 Board of Supervisors Supervisors' weekly calendar, travel and reports
- A-12 Board of Supervisors Consideration of application for appointment to the Lower Lake County Waterworks District #1
- A-13 Mental Health Consideration of request to authorize out-of-County travel and related expenses for Mental Health staff and nine (9) clients to travel to Fort Bragg, CA on August 27, 2010, for a Client Outing
- A-14 Public Works Discussion/consideration of request to award Bid No. 10-11, in the amount of \$119,442.96, to Gregg Simpson Trucking, for construction of the Morgan Valley Road PM 5.91 Storm Damage Repair project

**CLOSED SESSION**

- A-15 Board of Supervisors/County Counsel
1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA AND LCCOA
  2. (a) Conference with Legal Counsel - Existing Litigation - California Government Code - Subdivision (a) of Section 54956.9: Sierra Club v. County of Lake, et al.  
  
(b) Conference with Legal Counsel - Decision whether to initiate Litigation Pursuant to California Government Code - Subdivision (c) of Section 54956.9: Gail and Lila Bennett
  3. Public Employee Performance Evaluation:  
Title: Air Pollution Control Officer

**CONSENT AGENDA**

- C-1 Board of Supervisors Approve Minutes of the Board of Supervisors meeting held on August 10, 2010.
- C-2 Board of Supervisors Approve Agreement between the County of Lake and the Clearlake Oaks County Water District for collection of the District's Water and Sewer Delinquent Charges and perform related services, and authorize the Chair to sign.
- C-3 Board of Supervisors Approve letter to Congressman Mike Thompson expressing the Board's appreciation for his efforts to restore Federal Geothermal Royalty payments to the Counties, and authorize the Chair to sign.
- C-4 County Counsel Approve renewal of Agreement between the County of Lake and Westlaw (Thomson Reuters) for legal research services (a 36-month minimum term) at a monthly rate of \$780.00, and authorize the Chair to sign.
- C-5 County Counsel Approve Findings of Fact - Appeal of a Vicious Animal Abatement Orders (Larry Long).
- C-6 Elections Approve requests and order consolidation of the following School Districts' Elections with the General District Election to be held on November 2, 2009: Board of Trustees of Konocti Unified School District; and Board of Trustees of Middletown Unified School District, pursuant to their respective Resolutions.
- C-7 Social Services Approve First Amendment to Commercial Lease Agreement between County of Lake and Gary Weiser and Shelley Weiser for offices at 4477 Moss Avenue, Suites B and C, Clearlake (adjusting the lease rate from \$1.08 to \$1.10, for a monthly total of \$2,157.00, for a period of five years), and authorize the Chair to sign.
- C-8 Treasurer-Tax Collector (a) Authorize the Treasurer-Tax Collector to reissue seventeen (17) tax refunds, totaling \$6,524.97 (previously unclaimed); and  
  
(b) Authorize the Treasurer-Tax Collector to transfer unclaimed funds (tax refunds and estates) totaling \$33,501.82 to General Fund 001-1122-492.7990, as described in staff memorandum dated August 17, 2010.

**BOARD OF DIRECTORS - LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT**

- C-9 Air Quality Management District Authorize the return of unexpended Fiscal Year 2007/2008 Carl Moyer Program Year 10 Retrofit funds back to the State Air Resources Board in the amount of \$3,643.01.

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