

# 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

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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.

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## SEPTEMBER 20, 2011

**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 Library **9:15 A.M.** Presentation of the Library Advisory Board Annual Report

**OFFICIAL AGENDA OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD SEPTEMBER 20, 2011**

- A-6 Community Development-Code Enforcement **9:30 A.M.** **Continued from July 26 and August 16, 2011**  
**HEARING** - Nuisance Abatement of 7298, 7290, 7282 and 7274 East Butte Street, Upper Lake, CA (APN 031-132-26, 27, 28 & 29 - Sean J. Silvestro)
- A-7 Community Development-Code Enforcement **9:45 A.M.** **HEARING** - Nuisance Abatement of 12595 Highway 175, Loch Lomond, CA (APN 011-067-10 - Deutsche Bank National Trust Company)
- A-8 Community Development **10:00 A.M.** **Continued from August 23, 2011**  
**PUBLIC HEARING** - Consideration of an appeal of the Planning Commission's partial denial of a modified version of the following project: GPAP 11-01, RZ 11-01 and MMU 10-06 proposing a general plan amendment of 0.8 acres from Service Commercial to Community Commercial and 4.2 acres from Agriculture to Service Commercial; a rezone from "C3" Service Commercial to "CH" Highway Commercial and "A" Agriculture to "C3" Service Commercial; and a Minor Modification to existing permits (Res. 69-83, UP 88-42 and MUP 09-23) to allow a convenience store and construction of a 30,000 gallon propane tank; appellant is Westgate Petroleum; project located at 3740 Highland Springs Road, Lakeport (APN 008-002-31)
- A-9 Board of Supervisors **10:30 A.M.** Presentation of Certificates of Appreciation to Gregory and Marianne Graham and Clay and Margarita Shannon for their support of Konocti Regional Trails
- A-10 Community Development **10:40 A.M.** Consideration of request for Board direction regarding the enforcement of Williamson Act Contract compliance for Grazing Land
- A-11 Probation **10:50 A.M.** (a) Consideration of the proposed Lake County Realignment Implementation Plan and request to designate BI Incorporated as a sole provider; and (b) Consideration of proposed Agreements between the County of Lake and BI Incorporated for the operation of a Day Reporting Center and the (Jail Education and Employment) JEEP Program
- A-12 Board of Supervisors **11:00 A.M.** Consideration of request for Board support of application for establishment of two new Viticultural Areas in Lake County (Big Valley and Kelsey Bench)
- A-13 Community Development **1:30 P.M.** **Continued from August 23, 2011**  
**PUBLIC HEARING** - Discussion/consideration of proposed Ordinance amending Chapter 21 of the Ordinance Code of the County of Lake adding Article 72A: Regulations for the Cultivation of Medical Marijuana (AM 11-03)
- NON-TIMED ITEMS**
- A-14 Board of Supervisors Supervisors' weekly calendar, travel and reports
- A-15 County Counsel Consideration of proposed Findings of Fact in the Appeal of La Monica Signs (AB 11-03)
- A-16 Registrar of Voters **Advanced from September 13, 2011**  
Consideration of proposed Ordinance amending Article II of Chapter 2 of the Lake County Code establishing the boundaries of the Supervisorial Districts for the County of Lake pursuant to Sections 21500 et seq. of the Elections Code (**SECOND READING**)
- A-17 Public Works (a) Waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County; and (b) Consideration of proposed Agreement between the County of Lake and Stantec Consulting Services, for No Further Action Report and Well Decommissioning services for the Central Garage Maintenance Yard, for an amount not to exceed \$28,965

- A-18 Social Services (a) Consideration of proposed Contract between the County of Lake and Lucerne Alpine Seniors, Inc. for health-related senior support services in the amount of \$4,400; and (b) Consideration of proposed Contract between the County of Lake and Middletown Senior Citizens, Inc. for health-related senior support services in the amount of \$4,400; and (c) Consideration of proposed Contract between the County of Lake and Highlands Senior Service Center, Inc., for health-related senior support services in the amount of \$10,050; and (d) Consideration of proposed Contract between the County of Lake and Live Oak Senior Center for health-related senior support services in the amount of \$6,211; and (e) Consideration of proposed Contract between the County of Lake and Lakeport Senior Center, Inc. for health-related senior support services in the amount of \$8,125; and (f) Consideration of proposed Contract between the County of Lake and Kelseyville Seniors, Inc. to provide basic operating expenses in the amount of \$2,000; and (g) Consideration of proposed Contract between the County of Lake and Senior Support Services to provide basic operating expenses in the amount of \$1,000
- A-19 Social Services (a) Consideration of proposed Resolution rescinding Resolution 2004-04 abolishing the In-Home Supportive Services Advisory Committee; and (b) Consideration of appointments to Advisory Committee if not abolished
- A-20 Special Districts **Advanced from September 13, 2011**  
Consideration of proposed Ordinance amending the charges and fees for County Service Area No. 20 - Soda Bay (**SECOND READING**)
- CLOSED SESSION**
- A-21 Board of Supervisors/County Counsel 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA, LCCOA and DDAA
2. Conference with Legal Counsel:  
Existing Litigation pursuant to Government Code Section 54956.9, Subdivision (a): Application of Pacific Gas and Electric Company for approval of modifications to its SmartMeter Program and increased revenue requirements to recover the costs of the modifications
- CONSENT AGENDA**
- C-1 Board of Supervisors Approve Minutes of the Board of Supervisors meetings held on August 17 and September 13, 2011.
- C-2 Board of Supervisors Adopt Certificates of Appreciation to Gregory and Marianne Graham and Clay and Margarita Shannon for their support of Konocti Regional Trails.
- C-3 Supervisor Farrington Adopt Resolution in support of declaring Sundays as Eat Local, Buy California Grown Day.
- C-4 Health Services Adopt Resolution approving Public Health's Application to the California Department of Public Health for the Community Nutrition Expansion Project for Federal Fiscal Year 2011/2012.
- C-5 Health Services Adopt Resolution approving the 2011-2012 CDC Public Health Emergency Preparedness (PHEP), State General Fund (GF) Pandemic Influenza and HHS Hospital Preparedness Program (HPP), and authorize the Chair to sign a Non-Supplantation Certification.
- C-6 Mental Health Approve Agreement between the County of Lake and North Valley Behavioral Health for psychiatric health facility support services provided during Fiscal Year 2008-09, in the amount of \$23,400, and authorize the Chair to sign.
- C-7 Sheriff Approve First Amendment to Agreement between the County of Lake and California Judicial Investigations, for investigative services, an increase of \$5,974.31, and authorize the Chair to sign.