



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft BOARD OF SUPERVISORS

Tuesday, July 26, 2016

9:00 AM

Board Chambers

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Brown. County Administrative Officer Carol Huchingson, County Counsel Anita Grant, and Asst. Clerk of the Board Carolyn Purdy were present, along with the following Supervisors:

Present: 5 - Supervisor Steele, Supervisor Farrington, Vice Chair Smith, Chair Brown and Supervisor Comstock

2. Moment of Silence

Dedicated to Lee Johnson and Dennis Sautelet.

3. Pledge of Allegiance

Led by Bill Davidson.

4. Presentation of Animals Available for Adoption at the Animal Care and Control Shelter

Animal Care and Control Officer Holly Bray presented one canine currently available for adoption.

5. Consideration of Items Not Appearing on the Posted Agenda (Extra Items)

There were no items to consider.

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders.

7. Approval of the Consent Agenda

Item 7.6 was pulled from the Consent Agenda by Chair Brown to be taken up immediately after.

7.1 Approve Leave of Absence Request of Selena Jackson, Substance Abuse Counselor, from June 16, 2016 to August 31, 2016 or until such time as the Behavioral Health Department has completed a recruitment and is ready to make an offer of employment to fill the position, whichever date is sooner.

7.2 Adopt Proclamation Designating the Week of July 25-31 as Invasive Weed Awareness Week in Lake County, CA.

7.3 Approve Minutes from the Board of Supervisors meeting held on July 12, 2016.

7.4 Adopt Resolution Approving the Lake County Health Services Department to Submit Acceptance Paperwork and a Certification Clause from the California Department of Public Health (CDPH) Tuberculosis Control Branch (TBCB) for Real-Time Allotment Funding for Tuberculosis (TB) Cases in Lake County in the Amount of \$13,154 for FY2016-2017 and Authorizing the Board Chair to Sign Said Certification Clause

Enactment No: 2016-117

7.5 Adopt Resolution Approving the Application of the Lake County Arts Council for the California Arts Council Grant for FY 2016-17 and Authorizing the Lake County Arts Council to execute the grant contract.

Enactment No: 2016-118

7.6 Adopt Resolution Authorizing the Public Services Director to sign a Notice of Completion for the work performed under Agreement for the Construction and Completion of the Kelseyville Skate Park.

Chair Brown presented the item to the Board.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed. Chair Brown passed the gavel for the motion.

Supervisor Brown offered the Resolution and it was passed by roll call vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

Enactment No: 2016-119

7.7 Approve Amendment Two to the Consultant Agreement between the County of Lake and SCS Engineers for Design Engineering Services for the Eastlake Landfill Expansion, an increase of \$53,000 for a new contract maximum of \$194,120, and authorize the Chair to sign.

7.8 Approve (a) Contract Amendments #8 and #9 between the County of Lake and Sun Ridge Systems, Inc. for the installation of both In Station and Mobile Mapping and Mobile Software in the total amount of \$97,857 and authorize payment of \$78,000 to be paid from Budget 2206, object code 62.74 and \$19,857 to be paid from object code 28.30 and authorize Chair to sign; and (b) Approve the attached budget transfer supporting these payments from FY 2015/16.

7.9 Approve Limited Right of Entry Agreement between the County of Lake and the City of Lakeport for the Lakeport Downtown Improvement Project-Phase II, located at 230 North Main Street, Lakeport, CA which will include removal and replacement of sidewalks, water services and sanitary sewer laterals, and authorize the Chair to sign.

- 7.10** (Sitting as the Lake County Watershed Protection District Board of Directors) (a) Adopt Resolution Accepting Funds Associated with the Flood System Repair Project; and (b) Adopt Resolution Accepting Standard Conditions Associated with the Flood System Repair Project.

Enactment No: 2016-120/2016-121

- 7.11** (Sitting as the Lake County Watershed Protection District Board of Directors) Approve Joint Funding Agreement with US Geological Survey for the Operation of the Stream Gauge on Kelsey Creek near Kelseyville, in the amount of \$14,700 and authorize the Chair to sign.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda items 7.1 through 7.11, with the exception of 7.6, which was taken up immediately after. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

8. Timed Items

8.1 9:05 A.M. - Public Input

(1) *Preston Dickinson with AT&T External Affairs presented a donation of \$1500 to the Middletown Senior Center. Executive Director Lori Tourville was present to accept the donation.*

(2) *Joan Moss spoke.*

- 8.2 9:10 A.M. - Presentation of Proclamation Designating the Week of July 25-31, 2016 as Invasive Weed Awareness Week in Lake County, CA.**

Supervisor Steele read the proclamation into record and presented it to Agricultural Commissioner Steve Hajik. Mr. Hajik spoke.

This Ceremonial Item was read into the record and presented

- 8.3 9:15 A.M. - Public Hearing - Consideration of an Ordinance Amending Subsection 4.4 of Section 4-4 of Article I of Chapter 4 of the Lake County Code Relating to Fees for Dog and Cat Licensing, Redemptions, and Other Services Provided by Lake County Animal Care and Control**

Animal Care and Control Director Bill Davidson presented the item to the Board.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only (Clerk so did).

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

On motion of Supervisor Comstock, and by vote of the Board (5 ayes), advanced the ordinance one week, to August 2, 2016.

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

- 8.4** 9:30 A.M. - PUBLIC HEARING - (Continued from June 28, 2016) Consideration of Appeal (AB 16-01) of Planning Commission's denial of Use Permit (15-10) to construct a new seventy-five foot (75') monopole cellular antenna; project located at 5660 Staheli Drive, Kelseyville (APN 008-050-22); applicant is Epic Wireless Group for Verizon Wireless

Community Development Principal Planner Audrey Knight presented the item to the Board. Assistant Planner Keith Gronendyke gave a PowerPoint presentation on the project. Andrew Lesa from Epic Wireless representing Verizon Wireless was present and spoke. Verizon Wireless Engineer Benjamin Santa Maria and Engineer Raj Mauther also spoke.

Chair Brown asked if anyone present wished to speak and the following people spoke: Mark Borghesani, Nina Marino, Valerie Carlton, Al Mattern, Mike Powers and Joan Moss. No one else wished to speak and the public input portion of this item was closed.

Continued to the August 23, 2016 meeting at 9:30 a.m.

- 8.5** 11:00 A.M. ASSESSMENT APPEAL HEARING: (Continued from June 28, 2016 and Sitting as the Lake County Local Board of Equalization) Daniel Fossa - Application No. 01-2014 - 9270 Wildcat Rd., Kelseyville, CA (APN 011-044-04)

The Assessment Appeal application has been withdrawn by the applicant and an agreement has been made with the Assessor-Recorder.

This Item was withdrawn.

- 8.6** 11:45 A.M. - Consideration of Proposed Ordinance Imposing a Cannabis Cultivation Tax in the Unincorporated Areas of Lake County (First Reading)

County Counsel Anita Grant presented the item to the Board. Community Development Director Bob Massarelli was present and spoke about proposed changes to the Ordinance.

Chair Brown asked if anyone present wished to speak and the following people spoke: Michael Green, Milos Luebner and Alaina Taubin. No one else wished to speak and the public input portion of this item was closed.

This Ordinance will be brought back for the First Reading, as amended on August 2, 2016.

9. Non-Timed Items

- 9.1** Supervisors' weekly calendar, travel and reports

- 9.2** Consideration to adjourn Board of Supervisors meetings scheduled for September 6, 2016, October 11, 2016, November 22, 2016, December 27, 2016 and January 3, 2017.

Chair Brown presented the item to the Board.

Chair Brown asked if anyone present wished to speak and the following person spoke: Joan Moss. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board, approved to adjourn the Board of Supervisors meetings scheduled for September 6, 2016, October 11, 2016, November 22, 2016, December 27, 2016 and January 3, 2017. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

9.3 Consideration of an Ordinance amending Subdivision (c) of Section 27-6 of Article 1 of Chapter 27 of the Lake County Code to Revise Fire Mitigation Fees for Cases of Locally Declared Emergencies

County Administrative Officer Carol Huchingson presented the item to the Board. South Lake Fire Protection District Clerk of the Board Gloria Fong was present and spoke.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock, and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only (Clerk so did).

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

On motion of Supervisor Comstock, and by vote of the Board (5 ayes), advanced the ordinance one week, to August 2, 2016.

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

9.4 Consideration of Budget Transfer approval for CSA #2 – Spring Valley (Budget Unit 8462) to Provide an Additional \$153,900 in Funding for the Pipeline Water Loss Minimization Project and Authorize Expenditure of Said Funding Prior to the FY 2016-17 Adopted Budget.

Special Districts Administrator Jan Coppinger presented the item to the Board. Deputy Fiscal Administrator Josefine Ecklor was also present.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

On motion of Supervisor Steele, and by vote of the Board, approved the Budget Transfer for CSA #2 – Spring Valley (Budget Unit 8462) to Provide an Additional \$153,900 in Funding for the Pipeline Water Loss Minimization Project and Authorized Expenditure of Said Funding Prior to the FY 2016-17 Adopted Budget. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

- 9.5** Consideration of (a) Award of Bid No. SD16-10, Lake County Special Districts CSA2 Spring Valley Water Distribution System Upgrade to California Trenchless, Inc.; (b) Approval of Contract between the County of Lake and California Trenchless, Inc. in the amount of \$1,202,230 and authorize the Chair to sign; and (c) Authorization of Special Districts Administrator to Issue Notice of Award.

Special Districts Administrator Jan Coppinger presented the item to the Board. Deputy Fiscal Administrator Josefine Ecklor was also present.

Chair Brown asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Steele, and by vote of the Board, approved Award of Bid No. SD16-10, Lake County Special Districts CSA2 Spring Valley Water Distribution System Upgrade to California Trenchless, Inc. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

(b) On motion of Supervisor Steele, and by vote of the Board, approved the Contract between the County of Lake and California Trenchless, Inc. in the amount of \$1,202,230 and authorized the Chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

(c) On motion of Supervisor Steele, and by vote of the Board, approved Authorization of Special Districts Administrator to Issue Notice of Award. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

10. Closed Session

Chair Brown announced that the Board would now go into Closed Session for the reasons stated on the agenda.

- 10.1** Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, C. Huchingson, K. Ferguson and S. Jansen; and (b) Employee Organizations: DDAA, DSA, LCCOA, LCEA and LCSEA

10.2 Public Employee Evaluations

Title: Interim Behavioral Health Director

Title: Community Development Director

The Public Employee Evaluation for the Interim Behavioral Health Director was pulled from this agenda at the request of County Administrative Officer Carol Huchingson.

- 10.3** Conference with Legal Counsel - Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9 I(d)(2)(e)(1) – One potential claim

- 10.4** Conference with Legal Counsel – Existing litigation pursuant to Gov. Code sec. 549456.9(d)(1): Smith v. County of Lake, et al.

The Board reconvened into Regular Session at 1:23 p.m. having taken the following action:

On motion of Supervisor Smith, and by vote of the Board, approved a settlement in the amount of \$100,000. The motion carried by the following vote:

Ayes- Supervisors: 5 - Steele, Farrington, Smith, Brown and Comstock

- 10.5** Conference with Legal Counsel – Significant exposure to litigation pursuant to Gov. Code sec. 54956.9(d)(2), (e)(3): Claim of Stimmel

- 10.6** Conference with Legal Counsel – Decision whether to initiate litigation pursuant to Gov. Code sec. 54956.9(d)(4): One potential case

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 1:23 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Carolyn Purdy
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors