255 North Forbes Street
Lakeport, CA 95453

COUNTY OF LAKE

Meeting Minutes - Draft

BOARD OF SUPERVISORS

Tuesday, December 1, 2015 **9:00 AM** **Board Chambers**

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Farrington. County Administrative Officer Matt Perry, County Counsel Anita Grant and Asst. Clerk of the Board Alicia Flores were present, along with the following Supervisors:

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

2. Moment of Silence

3. Pledge of Allegiance

Led by Greg Scott

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

Animal Care & Control were not present.

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

There were no Extra Items requested.

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders.

7. Approval of the Consent Agenda

7.1 Adopt Resolution Amending the FY 2015-16 Adopted Budget to Adjust Appropriations in Budget Unit 1121 and to amend the position allocation for Budget Units 1121, 2301, and 4012.

Enactment No: Reso. No. 2015-163

7.2 Approve Minutes of the Board of Supervisors meetings held February 24, 2015, March 17, 2015, November 17, 2015 and November 20, 2015 (Special Meeting).

County Administrative Officer Matt Perry pulled the minutes from November 17, 2015 and November 20, 2015 (Special Meeting), but noted that the minutes from the Board meetings held February 24, 2015 and March 17, 2015 were ready for Board approval.

Chair Farrington 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 Smith, and by vote of the Board, approved Minutes of the Board of Supervisors meetings held February 24, 2015 and March 17, 2015. The motion carried by the following vote:

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

7.3 Approve 2016 Board of Supervisors Regular Meeting Calendar.

7.4 Approve Agreement between the County of Lake and Trina Maia for Physical Therapy Services in Support of the California Children's Services Program (CCS) and the Medical Therapy Program (MTP), in the amount of $25,000 and authorize the Chair to sign.

7.5 Approve Amendment One to Agreement between the County of Lake and Crisis Support Services of Alameda County for FY 15/16 Crisis Support Services, adding the additional holiday of December 23rd to the current holiday schedule in order to schedule necessary coverage.

7.6 Adopt Resolution Authorizing Cancellation LACOSAN-SE O&M Reserve Designation in the amount of $57,000.00 for vehicle purchase for Utility Area I and authorize Special Districts Administrator to issue purchase order to Downtown Ford Sales in the amount of $57,000.00 under the State of California Contract.

Enactment No: Reso. No. 2015-164

7.7 (Sitting as the Lake County Sanitation District, Board of Directors) - Adopt Resolution Authorizing the Administrator, LACOSAN, to sign a Notice of Completion for Work Performed Under Agreement Dated September 29, 2015 (Middletown Sewer Emergency Lateral Cap Project; Bid No. SD15-07, Project No. 8353-Valley2015).

Enactment No: Reso. No. 2015-165

7.8 (Sitting as the Lake County Sanitation District, Board of Directors) - Adopt Resolution Authorizing the Administrator, LACOSAN, to Sign a Notice of Completion for Work Performed Under Agreement Dated August 25, 2015 (Seigler Creek Pipeline Replacement and Hitch Improvement Project; Bid No. 15-07, Project No. 8354-14-002)

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.1 and 7.3 through 7.8. The motion carried by the following vote:

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

Enactment No: Reso. No. 2015-166

7.9 Adopt Resolution Amending Resolution 2015-159 - Resolution to Declare Intent to Sell Real Property Owned by the County of Lake (6322 7th Avenue, Lucerne, Ca), changing the time of the bid opening from 9:15 a.m. to 10:00 a.m.

This item was pulled at the request of citizen Joan Moss. Chair Farrington informed Ms. Moss that the Declaration of Intent to Sell was already approved at a prior Board meeting and the item is only in front of the Board again to correct the time of the public hearing.

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

Supervisor Smith offered the Resolution and it was passed by roll call vote:
Ayes- Supervisors: 5 - Comstock, Smith, Steele, Brown and Farrington

Enactment No: Reso. No. 2015-167

7.10 Adopt Resolution Amending Resolution 2015-160 - Resolution to Declare Intent to Sell Real Property Owned by the County of Lake (6825 Floyd Way, Nice, Ca), changing the time of the bid opening from 9:15 a.m. to 10:00 a.m.

This item was pulled at the request of citizen Joan Moss. Chair Farrington informed Ms. Moss that the Declaration of Intent to Sell was already approved at a prior Board meeting and the item is only in front of the Board again to correct the time of the public hearing.

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

Supervisor Smith offered the Resolution and it was passed by roll call vote:
Ayes- Supervisors: 5 - Comstock, Smith, Steele, Brown and Farrington

Enactment No: Reso. No. 2015-168

7.11 Adopt Resolution Amending Resolution 2015-161 - Resolution to Declare Intent to Sell Real Property Owned by the County of Lake (5795 Grove Street, Lucerne, Ca), changing the time of the bid opening from 9:15 a.m. to 10:00 a.m.

This item was pulled at the request of citizen Joan Moss. Chair Farrington informed Ms. Moss that the Declaration of Intent to Sell was already approved at a prior Board meeting and the item is only in front of the Board again to correct the time of the public hearing.

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

Supervisor Smith offered the Resolution and it was passed by roll call vote:
Ayes- Supervisors: 5 - Comstock, Smith, Steele, Brown and Farrington

Enactment No: Reso. No. 2015-169

8. Timed Items

8.1 9:05 A.M. - Public Input

Larry Anderson spoke.

8.2 9:15 A.M. - Consideration of Continuing the Proclamation of a Local Health Emergency by the Lake County Health Officer.

Dr. Karen Tait presented the item to the Board. Ms. Tait indicated a need for a special board meeting to be held either the week of Dec. 21st or 28th because the declaration for the local health emergency must be done every two weeks and the next scheduled Board meeting is not until January 5, 2016. There was Board consensus to hold a special meeting of the Board of Supervisors for this item only on December 22, 2015 at 9:00 a.m.

Environmental Health Director Ray Ruminski was also present and provided a brief summary on the status of debris removal, stating that 1,244 property owners have registered with CalRecycle. Of the 1,244 properties registered 455 have been cleared, 267 have been sampled, 131 of the properties cleared have been fully approved. There is roughly a 10% fail rate. CalRecycle is sent back for further soil removal on those properties with failing samples. Mr. Ruminski also reported there are at least 100 property owners who elected to sign up with private entities for cleanup.

On motion of Supervisor Comstock, and by vote of the Board, Continued the Proclamation of a Local Health Emergency by the Lake County Health Officer. The motion carried by the following vote:

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

8.3 9:20 A.M. - Consideration of Staff's Request for Appropriation of AB 1905 Funds For Cobb Water System Consolidation Feasibility Study

Special Districts Administrator Mark Dellinger presented the item to the Board. Robert Stark was also present and spoke.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Judy Cortesy, Mike Dunlap and Joan Clay.

Disaster Recovery Coordinator Carol Huchingson addressed Mr. Dunlaps suggestion to use disaster funds. County Administrative Officer Matt Perry also spoke. 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 staff's request for appropriation of AB 1905 Funds for Cobb Water System Consolidation Feasibility Study. The motion carried by the following vote:

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

8.4 9:30 A.M. - PUBLIC HEARING - Consideration of Resolution Making Findings Necessary to Authorize an Energy Services Contract for Replacement and Upgrade of the Utility Service that Support the Buckingham Peak Communication Facility.

This item was continued to January 19, 2016 at 9:30 a.m.

8.5 9:35 A.M. - Presentation of a plan by a consortium of Christian ministers to launch a warming shelter in Lake County.

Taylor Johnson gave a presentation to the Board. Pastor Randy Brehms and Reverand Shannon Kimball were present and also spoke.

Social Services Director Carol Huchingson introduced Housing Coordinator Edgar Perez suggesting they work with Mr. Perez and the COC Executive Committee.

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

There was Board consensus to have consortium work with Edgar Perez and the COC.

8.6 9:45 A.M. - Consideration of Options for Design and Construction of the Proposed Kelseyville Community Skatepark

This item was postponed, date uncertain at this time.

8.7 10:30 A.M. - Consideration of entering into Memorandum of Agreement with Local Native American Tribes to establish a formal process for Government to Government Consultations and project review procedures pursuant to SB 18 and AB 52.

Community Development Director Richard Coel presented the item to the Board. Deputy County Counsel Shanda Harry provided some background to the Board.

Dino Beltran and Sherry Treppa were present and also spoke.
Chair Farrington asked if anyone present wished to speak on this item. 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 Memorandum of Agreement with Local Native American Tribes to establish a formal process for Government to Government Consultations and project review procedures pursuant to SB 18 and AB 52. The motion carried by the following vote:

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

8.8 11:00 A.M. ASSESSMENT APPEAL HEARING: (Sitting as the Lake County Local Board of Equalization)

Davita, Inc. - Application No. 43-2013 - 14400 Olympic Drive, Clearlake, CA (APN 039-570-230)

California Newspapers Partnership - Application No. 50-2013 - 2150 S. Main Street, Lakeport, CA (APN 005-050-010)

Asst. Clerk of the Board swore in Assessor-Recorder Richard Ford and Deputy Assessor-Recorder Debbie Olson. Davita, Inc., California Newspaper Partnership nor representation thereof were present.

Davita, Inc. - Application No. 43-2013 - 14400 Olympic Drive, Clearlake, CA (APN 039-570-230) - no response.

California Newspapers Partnership - Application No. 50-2013 - 2150 S. Main Street, Lakeport, CA (APN 005-050-010) - no response.

On motion of Director Comstock, and by vote of the Board, denied without prejudice Davita, Inc. Application No. 43-2013 - 14400 Olympic Drive, Clearlake, CA (APN 039-570-230). The motion carried by the following vote:

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

On motion of Director Comstock, and by vote of the Board, denied without prejudice California Newspapers Partnership - Application No. 50-2013 - 2150 S. Main Street, Lakeport, CA (APN 005-050-010). The motion carried by the following vote:

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

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Status Reports/Updates of response and recovery efforts from OES, assisting agencies and/or community groups consequent to 2015 wildland fires.

Disaster Recovery Coordinator Carol Huchingson reported that there are 53 debris removal teams. Hidden Valley Lake campground is planning to close Dec.7th and Konocti Harbor Resort & Spa's original agreement was for 6 months with the backing of the State, however once FEMA came in this changed and there will need to be further discussions surrounding that agreement. Community Development Director Richard Coel clarified the number of fire victims is closer to 2,500, not 6,000 as stated by a member of the public. Public Works Director Scott DeLeon reported that crews have completed the identification of Right of Way trees needing to be removed, marking them with a white LC, and the hope is to begin removal by end of week, pending clarification on whether prevailing wage will be required.

Chair Farrington asked if anyone wished to speak and the following people spoke: Greg Scott, Fairlight Alight, Brenda Quintero, Judy Cortesy, Brian Pierce and Sun Hart. No one else wished to speak and the public input portion of this item was closed.

9.3 Ratification of Valley Fire related contracts entered into between September 12, 2015 and December 1, 2015, over $10,000 for services and over $25,000 for materials, supplies, and equipment.

Deputy County Administrative Officer Josh Jones presented 4 contracts to the Board for ratification.

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

On motion of Supervisor Smith, and by vote of the Board, approved the Agreement with Tetra Tech, Inc. for Valley Fire Arboricultural and Hazardous Tree Removal Monitoring Services in Lake County, California not to exceed $600,000. The motion carried by the following vote:

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

On motion of Supervisor Smith, and by vote of the Board, approved the Agreement with Konocti Harbor Resort and Spa for Provision of Transitional Housing for Valley Fire Evacuees not to exceed $432,000. The motion carried by the following vote:

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

On motion of Supervisor Smith, and by vote of the Board, approved the Agreement with California Conservation Corps for Lake County Donations Management and Distribution not to exceed $307,770. The motion carried by the following vote:

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

On motion of Supervisor Smith, and by vote of the Board, approved the Agreement between Lake County Sanitation District and HD Excavating for Middletown Sewer Emergency Lateral Cap Project not to exceed $250,000. The motion carried by the following vote:

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

9.4 Consideration of CXT Montrose Bathroom Facility at Hammond Park

Chief Deputy County Administrative Officer Jeff Rein presented the item to the Board. Chair Farrignton 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 restroom facility for Hammond Avenue Park contingent upon being verified through the General Services Administration and authorize the Public Services Director or his designee to issue a Purchase Order in the amount of $138,542.73. The motion carried by the following vote:

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

9.5 Consideration of establishing a Community Revitalization Authority as authorized by Assembly Bill 2

Supervisor Steele presented the item to the Board. There was concern as to whether or not advanced funding was required as it was for the Redevelopment Agency.
Chair Farrington asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

There was Board consensus directing staff to analyze the impacts of Assembly Bill 2.

10. Closed Session

Chair Farrington announced 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, M. Perry, K. Ferguson and S. Jansen; and (b) Employee Organizations: DDAA, DSA, LCCOA, LCEA and LCSEA

10.2 Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code Section 54956.9(d)(1): Lakeside Heights HOA, et al. v. County of Lake

The Board reconvened into Regular Session at 12:16 p.m. and took the following action:

On motion of Supervisor Smith, and by vote of the Board, approved the Agreement between the County of Lake and Porter Scott for the Provision of Attorney Services for Lakeside Heights HOA, et al. v. County of Lake, et al. and authorize the Chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 4 - Comstock, Smith, Steele and Farrington
Recused- Supervisors: 1 - Brown

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 12:17 p.m.

MATT PERRY
Clerk of the Board

By: ______________________________
Alicia Flores
Assistant Clerk of the Board

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Chair - Lake County Board of Supervisors