



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft BOARD OF SUPERVISORS

Tuesday, January 23, 2018

9:00 AM

Board Chambers

1. Call to Order

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

Present: Supervisor Simon, Supervisor Smith, Supervisor Scott, Supervisor Brown and Chair Steele

2. Moment of Silence

A moment of silence was observed.

3. Pledge of Allegiance

Led by Chair Steele.

4. Presentations by County Departments:

(a) Animal Care & Control - Animals Available for Adoption;

(b) Human Resources - Current County Job Openings.

(a) Animal Care and Control was not present.

(b) Human Resource Analyst Diana Rico presented the current available job openings at the County of Lake.

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

There were no extra items to consider.

6. Current Construction Projects - Contract Change Orders

- 6.1** Approve Contract Change Order No. One (1), Supplement One (1) to Contract Between the County of Lake and Bridgeway Civil Constructors, Inc. for Harbin Springs Road at Harbin Creek Bridge Replacement Project, Federal Project No. BRLO-5914(106); Bid No. 17-04

Public Works Director Scott DeLeon presented the item to the Board.

Chair Steele 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 Simon, and by vote of the Board, approved Contract Change Order No. One, Supplement One to Contract Between the County of Lake and Bridgeway Civil Constructors, Inc. for Harbin Springs Road at Harbin Creek Bridge Replacement Project, Federal Project No. BRLO-5914(106); Bid No. 17-04. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

7. Approval of the Consent Agenda

- 7.1 Adopt Resolution in Support of County Law Librarians' Request for Funding in the Governor's 2018 Proposed Budget and in Successive State Budgets

Enactment No: Resolution No. 2018-02

- 7.2 Approve Leave of Absence Request for June Richmond, Eligibility Worker, from December 30, 2017 to April 1, 2018.

- 7.3 Approve Leave of Absence Request for Dennis Reynolds, Senior Deputy Probation Officer, January 1, 2018 through January 31, 2018.

- 7.4 Adopt Resolution Reappointing Steven Hajik as Agricultural Commissioner and Sealer of Weights and Measures for a Four-year Term

Enactment No: Resolution No. 2018-03

- 7.5 Authorize the Chair to Sign our Registration Forms for Participation in the 2020 Local Update of Census Addresses (LUCA) Initiative.

- 7.6 Adopt Resolution Amending Resolution No. 2017-125 Establishing Position Allocations for Fiscal Year 2017-2018, Budget Unit No. 1012, Administrative Office

Enactment No: Resolution No. 2018-04

- 7.7 (a) Approve Amendment One between the County of Lake and Lake Indigent Defense for Public Defender Services to provide for its Termination effective January 31, 2018, and authorize the Chair to sign; and (b) Approve Agreement between the County of Lake and Lake Indigent Defense for Public Defender Services from February 1, 2018 through June 30, 2019 paid in monthly installments of \$110,000, unchanged from the original agreement, and authorize the Chair to sign.

- 7.8 Adopt Resolution of Intent to Amend Article 27 and any related sections of the Lake County Zoning Ordinance

Citizen Joan Moss asked to pull the item for further discussion. County Administrative Officer Carol Huchingson presented the item to the Board. County Counsel Anita Grant also spoke.

Chair Steele asked if anyone present wished to speak and Joan Moss spoke. No one else 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: 4 - Smith, Steele, Scott and Simon

Nayes- Supervisors: 1 - Brown

Enactment No: Resolution No. 2018-05

- 7.9** (a) Adopt Resolution Amending Resolution No. 2017-124 to Amend the Adopted Budget for FY 2017-18 by Cancelling Obligated Fund Balance to Make Available for Specific Appropriation in Budget Unit 2709; and (b) Approve Purchase of Pitney Bowes Folding and Stuffing Machine in the amount of \$10,000, with an Annual Maintenance Fee of \$1,293.

County Administrative Officer Carol Huchingson asked this item be pulled to be brought back during budget.

- 7.10** Adopt the Resolution Approving the Standard Agreement for the Substance Abuse Block Grant Multi-Year Agreement between the County of Lake and the Department of Health Care Services for Fiscal Year 2017-18 through Fiscal Year 2019-20, and authorize the Behavioral Health Administrator to sign the Standard Agreement.

Enactment No: Resolution No. 2018-06

- 7.11** Approve Budget Transfer in the Amount of \$6,000 for the Purchase of a File Server.

- 7.12** Authorize Waiver of County Policy and Procedure, Section 15 - Travel Policy Section 1.4F, Claiming Requirements for the Reimbursement to Saul Sanabria in the amount of \$232.33

- 7.13** Authorize Board Appointment of Erin Gustafson, M.D., to the Deputy Health Officer Position

- 7.14** Authorize Board Appointment of Sara Goldgraben, M.D., to the Public Health Officer Position

- 7.15** (a) Waive the formal bidding process, pursuant to Lake County Code Section 38.2, as it is not in the public interest due to the unique nature of goods or services; and (b) Approve the purchase of software, support, and professional services in the amount of \$37,620 from AnalyticsNow and authorize IT Director to issue Purchase Order.

- 7.16** Adopt Resolution Authorizing the Grant Application for Improving Safety and Community Awareness in Vicinity of Adobe Creek and Highland Springs Dams Inundation Zones

Enactment No: Resolution No. 2018-11

- 7.17** Adopt a Resolution Amending Resolution No. 2017- 124 Amending the Adopted Budget for FY 2017-18 by Appropriating Unanticipated Revenue in Budget Unit 4121 – Public Services - Integrated Waste Management

Enactment No: Resolution No. 2018-07

- 7.18** Approve Amendment Two to the Agreement between the County of Lake and Bender Rosenthal, Inc. to provide Right of Way Services for Four (4) Bridge Replacement Projects and Two (2) Bridge Rehabilitation Projects in Lake County, CA for an increase of \$10,580 and an amount not to exceed \$148,080; and authorize the Chair to sign.

- 7.19** Approve Submission of FY2018 State Homeland Security Grant Application in the amount of \$139,894
- 7.20** Approve Bid Award to Rogue Jet Boatworks in the amount of \$89,983 for the purchase of an Aluminum Patrol/Rescue Boat.
- 7.21** Approve Contract Amendment between the County of Lake and A&P Helicopters in the amount of \$19,235 and authorize the Chairman to sign.
- 7.22** (a) Approve Submittal of Project Assurances for Federal Assistance-Hazard Mitigation Grants and authorize the County Administrative Officer to sign; and (b) Adopt Resolution for the Designation of Subrecipient's Agent

On motion of Supervisor Scott, and by vote of the Board, approved Consent Agenda items 7.1 through 7.22, with the exception of item 7.8 which was pulled by citizen Joan Moss and taken up immediately after. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

On motion of Supervisor Smith, and by vote of the Board, reopened the consent agenda to amend action. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda items 7.1 through 7.22, with the exception of item 7.8 which was pulled and brought up immediately after and item 7.9 which was pulled to be brought back at a later date. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

Enactment No: Resolution No. 2018-12

8. Timed Items

8.1 9:05 A.M. - Public Input

Simon Tatman and Ceva Giumelli spoke.

8.2 9:15 A.M. - (a) Consideration of Continuation of a Proclamation of a Local Emergency Due to the Sulphur Fire Incident; and (b) Update and Discussion on the Sulphur Fire Recovery

(a) Sheriff Brian Martin presented the item to the Board.

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

(b) County Administrative Officer Carol Huchingson introduced the item. Health Services Director Denise Pomeroy presented the item to the Board. Environmental Health Director Jesse Kang and Office Services Supervisor Dean Eichelmann were present and spoke. FEMA Branch One Director Robert Presopene and U.S. Army Corps of Engineers Colonel Eric McFadden were present and spoke.

Mr. Kang reported that all Sulphur Fire properties have been cleared for debris. A total of 91 properties have been cleared of toxic materials. Dean Eichelmann spoke and reported that 3 private properties within the City of Clearlake are ready for abatement. Colonel McFadden reported there has been 55,000 tons of debris and 155 parcels cleared out within 2 months. A total of 103 parcels have been approved and ready for rebuilding. The issue resolution process is ongoing. Lake County Resident Engineer Leah Peterson was recognized for an incredible job. Mr. Presopene reported that over \$650,000 has been disbursed by FEMA, \$540,000 by SBA for home and business loans. Temporary housing: A total of 7 people required housing and 5 have been housed with the other 2 in process. FEMA Division Supervisor Alan Ball will remain in Lake County to oversee the Federal operations. Ms. Pomeroy thanked FEMA and the Army Corps of Engineers and the Health Proclamation will stay in force until the clean up is complete.

Chair Steele 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 Smith, and by vote of the Board, approved the continuation of a Proclamation of a Local Emergency Due to the Sulphur Fire Incident. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

(b) Informational only. No action taken.

- 8.3** 9:16 A.M. - (a) Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to Wildfire Conditions, pertaining to the Rocky, Jerusalem and Valley Fires; and (b) Update on Valley Fire Debris Insurance Collection Project.

(a) Sheriff Brian Martin presented the item to the Board.

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

(b) Administrative Analyst Marcy Harrison reported on the Valley Fire Debris Insurance Collection Project. The total payments received to date: \$5,558,000 for a total of 376 payments and an increase of \$405,000. The third round of notices will be sent to property owners in February 2018. Repayment plans for up to 24 months are an option for homeowners who are unable to pay their balance in full.

Chair Steele 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 Simon, and vote of the Board, approved the continuation of a Proclamation of a Declaration of a Local Emergency due to Wildfire Conditions, pertaining to the Rocky, Jerusalem and Valley Fires. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

(b) Informational only. No action taken.

- 8.4** 9:17 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to Clayton Fire

Sheriff Martin presented the item to the Board.

Chair Steele 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 Simon, and by vote of the Board, approved the continuation of a Proclamation of a Declaration of a Local Emergency due to Clayton Fire. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

- 8.5** 9:18 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to the Atmospheric River Storm

Sheriff Brian Martin presented the item to the Board.

Chair Steele 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 Scott, and by vote of the Board, approved the continuation of a Proclamation of a Declaration of a Local Emergency due to the Atmospheric River Storm. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

- 8.6** 9:20 A.M. - Consideration of Amended Agreement between the County of Lake and North Coast Opportunities for Valley Fire and Sulphur Fire Survivor Stable Housing Assistance

County Administrative Officer Carol Huchingson presented the item to the Board.

Chair Steele 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 Scott, and by vote of the Board, approved the Amended Agreement between the County of Lake and North Coast Opportunities for Valley Fire and Sulphur Fire Survivor Stable Housing Assistance. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

- 8.7** 9:30 A.M. - PUBLIC HEARING - Consideration of a Resolution amending the Master Fee Schedule for departmental services rendered by the County

Deputy County Administrative Officer Stephen Carter presented the item to the Board.

Chair Steele asked if anyone present wished to speak. 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 - Smith, Steele, Brown, Scott and Simon

Enactment No: Resolution No. 2018-08

- 8.8** 9:45 A.M. - (Sitting as the Lake County Housing Commission, Board of Directors) Consideration of Section 8 Administrative Plan for Fiscal Years 17/18 and 18/19

The Board of Supervisors adjourned and convened as the Lake County Housing Commission. Commissioner Deborah Figueroa was present.

Social Services Program Manager Edgar Perez presented the item to the Board. Housing Coordinator Annette Adkins was also present.

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

On motion of Director Smith, and by vote of the Board, approved the Section 8 Administrative Plan for Fiscal Years 17/18 and 18/19. The motion carried by the following vote:

Ayes- Directors: 6 - Smith, Steele, Brown, Scott, Simon and Figueroa

**8.9 9:50 A.M. - (Sitting as the Lake County Housing Commission, Board of Directors)
Approve Form HUD 50077-CR: CIVIL RIGHTS CERTIFICATION**

Social Services Program Manager Edgar Perez presented the item to the Board. Housing Coordinator Annette Adkins was also present.

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

The Lake County Housing Commission adjourned and reconvened as the Board of Supervisors.

On motion of Director Smith, and by vote of the Board, approved Form HUD 50077-CR: CIVIL RIGHTS CERTIFICATION. The motion carried by the following vote:

Ayes- Directors: 6 - Smith, Steele, Brown, Scott , Simon and Figueroa

8.10 10:00 A.M. - PUBLIC HEARING - (a) Consideration of Proposed Extension of Ordinance No. 3070, An Urgency Ordinance Allowing Temporary and Limited Registration of Certain Commercial Cannabis Cultivation Licenses; and (b) Issuance of Government Code section 65858 Status Report.

County Counsel Anita Grant presented the item to the Board. Community Development Director Bob Massarelli and Senior Planner Michelle Irace were present and spoke.

Chair Steele opened the public hearing and the following people spoke: Chris Jennings, Bridgett King, Charlene McNall, Patricia Lanier, Michael Green, Kapon, John Brosnan, David Lepert, Lance Williams, Noah Cornell and Richard Durham. No one else wished to speak and the public hearing was closed.

(a) On motion of Supervisor Smith, and by vote of the Board, waived the reading of the ordinance, as amended, to be read in title only (Clerk so did).

**Ayes- Supervisors: 4 - Smith, Steele, Scott and Simon
Nays-Supervisors: 1 - Brown**

Supervisor Smith offered Ordinance No. 3071 as amended and it was passed by roll call vote:

**Ayes- Supervisors: 4 - Smith, Steele, Scott and Simon
Nays-Supervisors: 1 - Brown**

(b) On motion of Supervisor Smith, and by vote of the Board, approved the issuance of Government Code section 65858 status report. The motion carried by the following vote:

**Ayes- Supervisors: 4 - Smith, Steele, Scott and Simon
Nays-Supervisors: 1 - Brown**

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Discussion Regarding Cell Tower Permitting and Consideration of a Requirement that Cell Tower Lessees be Required to Provide Reciprocity for all Cell Carriers Utilizing the Towers in Order to Enhance our Local Emergency Notification System

Supervisor Brown presented the item to the Board. Community Development Director Bob Massarelli was present and spoke.

Chair Steele 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 that the County Administrative Officer would follow up to obtain additional information to bring back to the Board for discussion.

9.3 Consideration of the Following Appointments:

East Region 3 Town Hall (EaRTH)

Lower Lake Cemetery District

Maternal, Child and Adolescent Health (MCAH)

Chair Steele presented the item to the Board.

Chair Steele 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, appointed James O. Burton, Heather McFadden and Denise Loustalot to the East Region 3 Town Hall (EaRTH). The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

On motion of Supervisor Simon, and by vote of the Board, appointed Karen M. Graf to the Lower Lake Cemetery District Advisory Board. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

On motion of Supervisor Smith, and by vote of the Board, appointed Carla Ritz and Tara Walsh to the Maternal, Child and Adolescent Health (MCAH) Advisory Board. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

9.4 Consideration of a Resolution Establishing Alternate Office Hours for the Offices of the Assessor-Recorder for the Period from January 1, 2018, Through December 31, 2018.

Assessor-Recorder Richard Ford presented the item to the Board and gave a Power Point presentation regarding the request to establish alternate office hours.

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

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

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

Enactment No: Resolution No. 2018-09

9.5 Consideration of a Resolution Establishing Alternate Office Hours for the Office of the Treasurer-Tax Collector for the Period from January 1, 2018 through June 30, 2018.

Treasurer-Tax Collector Barbara Ringen presented the item to the Board.

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

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

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

Enactment No: Resolution No. 2018-10

10. Closed Session

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

10.1 Conference with Legal Counsel: Decision whether to Initiate Litigation Pursuant to Gov. Code sec. 54956.9(d)(4): One Potential Case.

The Board reconvened into Regular Session at 12:27 p.m. having taken no action.

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 12:27 p.m.

CAROL J. HUCHINGSON

Clerk of the Board

By: _____

Carolyn Purdy

Assistant Clerk of the Board

Chair-Lake County Board of Supervisors