COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final
BOARD OF SUPERVISORS

Tuesday, September 20, 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 Assistant 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

A moment of silence was dedicated to William (Bill) Huckkanen.

3. Pledge of Allegiance

Led by Harry Lyons.

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

Animal Care and Control was not present.

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

6.1 Consideration of Approval of Contract Change Order No. 1. for Foard Road at Anderson Creek Bridge Replacement Project, Federal Project No. BRLO-5914(068); Bid No. 16-03, for an increase of $4,025 and a new contract amount of $728,407; and authorize Chair to sign.

Public Works Director Scott DeLeon 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, approved Contract Change Order No. 1. for Foard Road at Anderson Creek Bridge Replacement Project, Federal Project No. BRLO-5914(068); Bid No. 16-03, for an increase of $4,025 and a new contract amount of $728,407. The motion carried by the following vote:

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

7. Approval of the Consent Agenda

7.1 Adopt Resolution Approving Agreement No. 16-0340-SF with the State of California, Department of Food and Agriculture and Authorizing Execution of the of the Pierce's Disease/GWSS Agreement for reimbursement for trapping, nursery inspection, crop inspection and high risk neighborhood inspections in the amount of $35,049.66 for fiscal years 2016-2018.

Enactment No: 2016-146

7.2 (a) Waive the formal bidding process, per Ordinance #2406, per Purchasing Code 38.2, as it is not in the public interest due to the unique nature of goods or services; and (b) Approve the Agreement between the County of Lake and St. Helena Hospital for the Fiscal Year 2016-17 for a contract maximum of $100,000 and authorize the Chair to sign.

7.3 Approve Minutes from the Board of Supervisors meetings held on August 16, 2016, August 23, 2016 and August 30, 2016

7.4 Adopt Resolution Approving the Application and Certification Statement for the State Department of Health Care Services, CMS Branch's California Children's Services (CCS) Administration Plan Renewal Grant for FY 2016-2017 and authorize the Chair to Sign Said Certification Statement

Enactment No: 2016-147

7.5 Adopt Resolution Approving the Application and Certification Statement for the State Department of Health Services, CMS Branch's Child Health and Disability Prevention Program (CHDP) and Health Care Program for Children in Foster Care (HCPCFP) Renewal Grant for FY 2016/2017 and Authorize the Chair to Sign Said Certification Statement

Enactment No: 2016-148

7.6 Approve Contract between the County of Lake and People Services for Yard Maintenance for the Amount of $9,234.33 annually, terminating June 30, 2019; and authorize the Chair to sign

7.7 Approve Contract Between the County of Lake and Lakeport Senior Center for Health-Related Senior Support Services for the Amount of $10,618, terminating June 30, 2017; and authorize the Chair to sign

7.8 Approve Contract Between the County of Lake and Live Oak Senior Center for Health-Related Senior Support Services for the Amount of $11,758, terminating June 30, 2017; and authorize the Chair to sign

7.9 Approve Contract Between the County of Lake and Highlands Senior Center for Health-Related Senior Support Services for the Amount of $18,849, terminating June 30, 2017; and authorize the Chair to sign

7.10 Approve Contract Between the County of Lake and Middletown Senior Center for Health-Related Senior Support Services for the Amount of $8,148 terminating on June 30, 2017; and authorize the Chair to sign.

7.11 Approve Contract Between the County of Lake and Lucerne-Alpine Senior Center for Health-Related Senior Support Services for the Amount of $10,182, terminating June 30, 2017; and authorize the Chair to sign

7.12 Approve Contract Between the County of Lake and Kelseyville Seniors for Services to Senior Citizens in Lake County for the Amount of $2,000, terminating June 30, 2017; and authorize the Chair to sign

7.13 Approve Contract Between the County of Lake and Senior Support Services for Services to Senior Citizens in Lake County for the Amount of $1,000, terminating June 30, 2017; and authorize the Chair to sign

7.14 Authorize Special Districts Administrator to issue a purchase order to Elk Grove Auto/Winner Chevrolet in the amount of $24,633.27 under the State of California Contract for a Line 6 truck equipped as identified in Quotation # 10515.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda items 7.1 through 7.14. 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

Joan Moss spoke.

8.2 9:15 A.M. - PUBLIC HEARING - (Continued from September 13, 2016) Consideration of Resolution to Vacate a Portion of a Public Utility Easement, in Glenhaven, County of Lake, State of California

Public Works Director Scott DeLeon presented the item to the Board. Surveyor Gordon Haggitt was also present and spoke.

Chair Brown opened the public hearing. No one present wished to speak and the public hearing was closed.

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

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

Enactment No: 2016-149

8.3 9:30 A.M. - Hydrilla Presentation by the California Department of Food and Agriculture

Senior Environmental Scientist Supervisor David Kratville from the California Department of Food and Agriculture presented the item to the Board and gave a PowerPoint presentation on the hydrilla weed management in Clear Lake.

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

This item was informational only. No action was taken.

8.4 11:00 A.M. ASSESSMENT APPEAL HEARING: (Sitting as the Lake County Local Board of Equalization)

Offenbach Revocable Inter Vivos Trust - Application No. 12-2014 - 1600 N. Main St., Lakeport, CA (APN 026-181-200)

Assessor-Recorder Chief Deputy Debbie Olson presented the item to the Board. She reported that the applicant had withdrawn the appeal and an agreement was made regarding the value of the property.

No action necessary

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Consideration of Response to the 2015/16 Grand Jury Final Report

County Administrative Officer Carol Huchingson 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, approved the Response to the 2015/16 Grand Jury Final Report. The motion carried by the following vote:

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

9.3 Consideration of Appointment of District 3 Planning Commissioner

Supervisor Steele 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 Steele, and by vote of the Board, appointed Eddie J. Crandall as District 3 Planning Commissioner. The motion carried by the following vote:

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

9.4 Consideration of adding REACH Air Medical Services to County sponsored benefits and authorizing payroll deductions

Human Resources Deputy Director Sarah Jansen 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, approved adding REACH Air Medical Services to County sponsored benefits and authorized payroll deductions. The motion carried by the following vote:

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

9.5 Consideration of Approval of Agreement with Warner Enterprises, Inc. for Valley Fire Hazard Tree Mitigation Phase II Services in the amount of $437,961; and authorize the Chair to execute the Contract and Notice of Award.

Public Services Director Lars Ewing presented the item to the Board. The original contract for the Valley Fire tree removal was with AshBritt, Inc., which expired in May 2016. Three proposals were received to complete the remainder of the work. The selection panel recommended Warner Enterprises, Inc. as the most responsive proposal.

FEMA places a six month deadline to complete debris removal operations. A six month extension was received from Cal OES in March 2016 extending the deadline to September 22, 2016. Another extension request to FEMA has been submitted but not approved. If this extension is not approved, the work under this contract will not be reimbursable. There is also a FEMA requirement to monitor the tree removal. The original projected cost for the monitoring was $600,000 and with this extension the actual cost will be $1.5 million. A cost revision for this portion of the project has been submitted to FEMA. Mr. Ewing recommends executing the contract but to delay the notice to proceed until the extension and monitoring issues are approved.

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 with contingencies the Agreement with Warner Enterprises, Inc. for Valley Fire Hazard Tree Mitigation Phase II Services in the amount of $437,961. The following contingencies must be met: a) Debris Removal Extension from FEMA; and b) Project Worksheet Version for hazard tree removal monitoring costs. The motion carried by the following vote:

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

9.6 (Sitting as the Lake County Watershed Protection District Board of Directors) Consideration of Waiving the requirement in the Property Management Guidelines for formal appraisals to be conducted prior to issuance of an RFP for lease of land for agricultural purposes within the Project Area; and Approve the RFP submitted herewith and direct staff to solicit proposals by distributing the RFP in accordance with the Property Management Guidelines for Lease of Property in the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project Area

Water Resources Director Scott DeLeon presented the item to the Board. Deputy Director Will Evans was also present and spoke. It was decided to continue this item to October 4, 2016 for further discussion about public lands access.

Chair Brown asked if anyone present wished to speak and the following people spoke: Nancy Torrance and Becky Vigil. No one else present wished to speak and the public input portion of this item was closed.

This item to be continued to October 4, 2016.

9.7 (Sitting as the Lake County Watershed Protection District Board of Directors) Consideration of Adoption of Resolution Approving the Property Acquisition - Middle Creek Flood Damage Reduction and Ecosystem Project; and Approve Purchase Contract for 7415, 7525, 7527, 7575, 7945, 8051, 8053, 8055, and 8223 Reclamation Road, Upper Lake, and 7160 and 7690 Westlake Road, Upper Lake in the amount of $1,828,000 funded by the Flood Protection Corridor Program Grant; and authorize Chair to sign

Water Resources Director Scott DeLeon presented the item to the Board. Deputy Director Will Evans was also present and spoke.

Chair Brown asked if anyone present wished to speak and the following people spoke: Victoria Brandon, Harry Lyons, Becky Vigil and Peter Wyndrum. No one else wished to speak and the public input portion of this item was closed.

Director Steele offered the Resolution and it was passed by roll call vote:

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

Enactment No: 2016-150

9.8 (Sitting as the Lake County Watershed Protection District Board of Directors) Consideration of Adoption of Resolution Approving the Property Acquisition - Middle Creek Flood Damage Reduction and Ecosystem Project; and Approve Purchase Contract for APN004-016-180, 8490 Reclamation Road, Upper Lake in the amount of $354,000 funded by the Flood Protection Corridor Program Grant; and authorize Chair to sign.

Water Resources Director Scott DeLeon presented the item to the Board. Deputy Director Will Evans was also 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.

Director Steele offered the Resolution and it was passed by roll call vote:

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

Enactment No: 2016-151

9.9 (ADDENDUM) - SECOND READING - Consideration of Ordinance amending Ordinance No. 2950 to Establish Additional Gate Fees at the Eastlake Sanitary Landfill for Debris Generated From a Locally Declared Disaster

Chair Brown introduced the ordinance for the second reading.

Chair Brown 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 Ordinance No. 3049, and it was passed by roll call vote (5 ayes).

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

Enactment No: 3049

9.10 (ADDENDUM) - SECOND READING - Consideration of Ordinance amending Section 44.5 of Article VI, Section 44.6, and adding Section 44.7 of Chapter 15 to establish rules and regulations for the Kelseyville Skate Park

Chair Brown introduced the ordinance for the second reading.

Chair Brown 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 Ordinance No. 3050, and it was passed by roll call vote (5 ayes).

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

Enactment No: 3050

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 Employee Disciplinary Appeal (EDA-16-03), Pursuant to Gov. Code Sec. 54957

10.3 Conference with Legal Counsel - Existing Litigation pursuant to Gov. Code Sec. 54956.9(d)(1) – Harris v. County of Lake, et al.

10.4 Conference with Legal Counsel - Existing Litigation pursuant to Gov. Code Sec. 54956.9(d)(1) – Lakeside Heights HOA, et al. v. County of Lake, et al.

10.5 Public Employee Appointment pursuant to Gov. Code Section 54957(b)(1): Interviews and Appointment of Water Resources Director

10.6 ADDENDUM: Public Employee Evaluations
Title: Child Support Services Director

The Board reconvened into Regular Session at 11:55 a.m. having taken no action.

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 11:55 a.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: ______________________________
Carolyn Purdy
Assistant Clerk of the Board

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Chair-Lake County Board of Supervisors