COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, July 21, 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 Supervisors Smith, Steele and Brown. Supervisor Comstock was absent all day.

Present: 4 - Supervisor Smith, Supervisor Brown, Supervisor Steele and Chair Farrington

Absent: 1 - Supervisor Comstock

2. Moment of Silence

Dedicated to 4 Marines who were killed and 1 Naval Officer wounded at Chattanooga, Tennessee military facilities. Supervisor Brown requested that courthouse flags be flown at half staff in their honor, for the remainder of the week.

3. Pledge of Allegiance

Led by Supervisor Smith.

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

Animal Care & Control Officer Alicia Brisker presented one canine currently available for adoption.

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

5.1 Extra Agenda Item Requesting Appropriation of 2016 Ford Truck

Caroline Chavez presented the item to the Board.

The Board did not find reasonable justification to consider this item. It will be placed on the July 28, 2015 agenda for consideration.

6. Current Construction Projects - Contract Change Orders

6.1 Approval of Change Order No. Three for Soda Bay Road at Cole Creek Bridge Replacement Project, Federal Project No. BRLS-5914(025), Bid No. 13-31, and authorization for Chair to sign.

Chair Farrington recused himself from the item and passed the gavel to Vice Chair Brown.
Public Works Director Scott DeLeon presented the item to the Board.
Vice 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.

On motion of Supervisor Smith, and by vote of the Board, approved Change Order No. Three for Soda Bay Road at Cole Creek Bridge Replacement Project, Federal Project No. BRLS-5914(025), Bid No. 13-31, an increase of $2,386.22 and a revised contract amount of $1,206,381.07 and authorized the Chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 3 - Smith, Brown and Steele

Absent- Supervisors: 1 - Comstock

Recused- Supervisors: 1 - Farrington

6.2 Approval of Change Order No. One for 2015 Countywide Chip Seal Screenings and Authorization for the Chair to Sign.

Public Works Director Scott DeLeon presented the item to the Board.
Chair Farrington asked if anyone present wished to speak. No one present 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 Change Order No. One for 2015 Countywide Chip Seal Screenings, an increase of $15,526.00 and a revised contract amount of $165,555.50 and authorized the Chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 4 - Smith, Brown, Steele and Farrington

Absent- Supervisors: 1 - Comstock

7. Approval of the Consent Agenda

7.1 Approve Agreement between the County of Lake and the Highlands Senior Service Center, Inc. to provide funding to purchase kitchen equipment for the Highlands Senior Service Center, in the amount of $11,900 and authorize the Chair to sign.

7.2 Adopt Proclamation Designating the week of July 20 - 26, 2015 as Invasive Weed Awareness Week in Lake County, CA.

7.3 Approve Amendment Number Three to the Memorandum of Understanding By and Between the County of Lake and the Lake County Employees' Association, Units 3, 4 and 5 for the period from July 1, 2014 through December 31, 2016, and authorize the Chair to sign.

7.4 Adopt Resolution to ratify the execution of a Grant Agreement by the District Attorney for the Alcohol and Drug Impaired Driver Vertical Prosecution Program.

7.5 (a) Approve waiver of consultant selection process due to lack of economic benefit to the County; and (b) Approve Construction Inspection Services Agreement between the County of Lake and RGH Consultants for CSA 16 Paradise Valley Water Intertie Pipeline with Clearlake Oaks County Water District, in the amount of $36, 280, and authorize the Chair to sign.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.1 through 7.5. The motion carried by the following vote:

Ayes- Supervisors: 4 - Smith, Brown, Steele and Farrington

Absent- Supervisors: 1 - Comstock

8. Timed Items

8.1 9:05 A.M. - Public Input

Larry Anderson spoke regarding Land Record Audit

This was not acted on

8.2 9:10 A.M. - Presentation of Proclamation Designating the week of July 20 - 26, 2015 as Invasive Weed Awareness Week in Lake County, CA.

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

8.3 9:15 A.M. - PUBLIC HEARING - Consideration of Appeal(s) of an Administrative Citation for Violating Quagga Mussel Prevention Program:(a) Richard Jones; (b) Jose Zapeda; and (c) Jason Buckley

Clerk swore in Water Resources Director Scott DeLeon and appellants Richard Jones and Jose Zapeda. Jason Buckley, nor representation, was not present.

(a) Water Resources Director Scott DeLeon presented the item to the Board. Mr. Jones gave his testimony. Joan Moss spoke as public input only not relevant to case.
(b) Water Resources Director Scott DeLeon presented the item to the Board. Jose Zapeda gave his testimony.
(c) Water Resources Director Scott DeLeon presented the item to the Board. Jason Buckley was not present.

(a) On motion of Supervisor Steele, and by vote of the Board, denied the appeal of Mr. Jones' administrative citation for violating the quagga mussel prevention program. The motion carried by the following vote:

Ayes- Supervisors: 3 - Smith, Steele and Farrington
Nay- Supervisors: 1 - Brown
Absent- Supervisors: 1 - Comstock

(b) On motion of Supervisor Brown, and by vote of the Board, approved the appeal of Mr. Zapeda's administrative citation for violating the quagga mussel prevention program. The motion carried by the following vote:

Ayes- Supervisors: 3 - Smith, Brown and Farrington
Abstain- Supervisors: 1 - Steele
Absent- Supervisors: 1 - Comstock

(c) On motion of Supervisor Brown, and by vote of the Board, denied the appeal of Mr. Buckley's administrative citation for violating the quagga mussel prevention program. The motion carried by the following vote:

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

8.4 9:30 A.M. - PUBLIC HEARING - (Sitting concurrently as the Board of Supervisors, Kelseyville County Water District #3 Board of Directors and Lake County Sanitation District Board of Directors) - Consideration of Resolutions for Collection of Delinquent Water, Sewer and Annual Lighting Fees.

Sitting concurrently as the Board of Supervisors, Kelseyville County Water District # 3 Board of Directors and Lake County Sanitation District Board of Directors) - Chair Farrington opened the public hearing. Special Districts Deputy Administrator- Fiscal, Josefine Ecklor and Accountant II, Marcy Harrison presented the item to the Board. Chair Farrington asked if anyone present wished to speak. No one pressent wished to speak and the public hearing was closed.

Supervisor Brown offered Resolution No. 2015-100 confirming collection of annual fees in CSA No.1, and it was passed by rollcall vote:

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

Supervisor Brown offered Resolution No. 2015-101 confirming collection of delinquent water fees in CSA Nos. 2, 6, 7, 13, 16, 18, 20, 21, and 22, and it was passed by rollcall vote:

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

Director Brown offered Resolution No. 2015-102 confirming collection of delinquent sewer fees in Lake County Sanitation District, and it was passed by rollcall vote:

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

Director Brown offered Resolution No. 2015-103 confirming collection of delinquent charges for servicess rendered in Kelseyville County Waterworks District #3, and it was passed by rollcall vote:

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

Enactment No: Resolution No.'s 2015-100; 2015-101; 2015-102; 2015-103

8.5 9:45 A.M. - (Sitting as the Lake County Air Quality Management District Board of Directors) - Consideration of the LCAQMD FY 15/16 Draft Budget, BU's 8799 & 8798 and policy recommendations.

(Sitting as the Lake County Air Quality Management District Board of Directors) Chair Farrington opened the public hearing.
Air Quality Director Doug Gearhart and Air Quality Program Coordinator Elizabeth Knight presented the proposed the LCAQMD FY 15/16 Draft Budget, BU's 8799 & 8798 and policy recommendations to the Board. Chair Farrington asked if anyone present wished to speak and Tom Slate spoke. No one else wished to speak and the public hearing was closed.

On motion of Director Smith, and by vote of the Board, approved the FY 15/16 Draft Budget proposed for the District. The motion carried by the following vote:
Ayes- Directors Smith, Steele, Brown and Farrington
Absent- Director Comstock

On motion of Director Brown, and by vote of the Board, continued to be on record as opposed to any further State subvention cuts to the District, and supported District staff seeking additional funding from the State to support the additional work load placed on the District. The motion carried by the following vote:
Ayes- Directors Smith, Steele, Brown and Farrington
Absent- Director Comstock

On motion of Director Smith, and by vote of the Board, to be on record as supporting District staff to continue to work with State Legislators seeking program flexibility and additional funding from the State or Federal Government or other entities to assist local fleets. If funds are identified, the options will be brought to this Board for approval.The motion carried by the following vote:
Ayes- Directors Smith, Steele, Brown and Farrington
Absent- Director Comstock

On motion of Director Smith, and by vote of the Board, to be on record as supporting District staff to continue to work with CAPCOA to represent the needs and interests of Lake County related to Air Quality program funding, regulations, and benefits.The motion carried by the following vote:
Ayes- Directors Smith, Steele, Brown and Farrington
Absent- Director Comstock

On motion of Director Smith, and by vote of the Board, to continue their policy directive that health impacts, health risks, health based complaints, and mandated programs/requirements be given top priority, followed by activities that have regulatory time frames, and other funded activities, or as directed by this Board. The motion carried by the following vote:
Ayes- Directors Smith, Steele, Brown and Farrington
Absent- Director Comstock

8.6 10:00 AM - PUBLIC HEARING - (This Hearing will be continued to August 18, 2015 @ 10:00 A.M.) - Consideration of an appeal to the Board of Supervisors (AB 15-02) of the Planning Commission's decision to deny the Major Use Permit (UP 15-01, IS 15-03) and mitigated negative declaration to allow construction of a 9,100 sq. ft. Dollar General Store, Kelseyville; appellants are Cross Development, LLC; site is located at 4315 Douglas Street and 5505 Main Street, Kelseyville (APNs 008-710-50 & 51)

Chair Farrington opened the public hearing to announce that this item will be continued to August 25, 2015 at 10:00 a.m., at which time both Supervisors Comstock and Smith will be present.

8.7 10:00 A.M. - PUBLIC HEARING- Consideration/Discussion of Renaming an Existing Road in the Kelseyville Area - Forrest's Road

Chair Farrington opened the public hearing. County Surveyor Gordon Haggitt and County Counsel Anita Grant presented the item to the Board.
Chair Farrington asked if anyone present wished to speak and the following people spoke: Nick Waynewright & David Owen. There was tremendous support through out the community and county for the road name change. No one else present wished to speak and the public hearing was closed.

The Board found that the circumstances of community support justified extraordinary circumstances making an exception to the 4/5 vote. On motion of Supervisor Steele, and by vote of the Board, approved the road name change in Kelseyville, CA from Douglas Road to Forrest's Road. The motion carried by the following vote:

Ayes- Supervisors: 3 - Smith, Steele and Farrington

Absent- Supervisors: 2 - Comstock and Brown

8.8 10:15 A.M. - PUBLIC HEARING - Consideration/Discussion to Name an Existing Unnamed Road in Upper Lake - Patty Lane

Chair Farrington opened the public hearing. County Surveyor Gordon Haggitt and County Counsel Anita Grant presented the item to the Board.
Chair Farrington asked if anyone present wished to speak and the following people spoke: Carrie Sparehawn, Patty Raetz, John Ham, Ron Raetz, Renee Wehner, Rye Gilley. No one else present wished to speak and the public hearing was closed.

On motion of Supervisor Steele, and by vote of the Board, denied the naming of an unnamed road in Bachelor Valley. The motion carried by the following vote:

Ayes- Supervisors: 3 - Smith, Steele and Farrington

Absent- Supervisors: 1 - Comstock

Abstain- Supervisors: 1 - Brown

8.9 10:30 A.M. - PUBLIC HEARING - Consideration of Resolution Amending Resolution No. 2015-78 Relating to Fire Mitigation Fees to Correct a Typographical Error which indicates an increase from $0.80 to $1.00 in Exhibit A Thereto as to the Fire Mitigation Fee to be Imposed by Northshore Fire Protection District

County Administrative Officer Matt Perry presented the item to the Board. Chair Farrington opened the public hearing. No one present wished to speak and the public hearing was closed.

Supervisor Smith offered the resolution and it was passed by roll call vote. The motion carried by the following vote:

Ayes- Supervisors: 4 - Smith, Brown, Steele and Farrington

Absent- Supervisors: 1 - Comstock

Enactment No: Resolution No. 2015-104

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Consideration of the Following Appointments:
Emergency Medical Care Committee (EMCC)
Library Advisory Board

The applications for this item were not made available to the public; therefore the Board requested this item be continued to future meeting with the backup available to the Board and public.

9.3 Consideration of Proposed Exclusive Negotiating Rights Agreement (APN Nos. 010-043-01 and 010-043-52) between the County of Lake and Veterans Housing Development Corporation to Provide Supportive Housing for Veterans and Their Families

Deputy County Administrative Officer Jennifer DeHaan presented the item to the Board, Peter Cameron of the Veteran's Housing Development Corporation was also present. Chair Farrington asked if anyone present wished to speak and the following people spoke: Andy Peterson, Larry Anderson. No one else present wished to speak and the public input portion of this item was closed.

The Board directed staff to proceed with negotiations and include Supervisors Farrington and Smith, as well as directed staff to
incorporate language clarifying "a portion of" APN No. 010-043-52 and fix a typographocal error in the contract from (A) & (C) to (A) & (B).

9.4 Consideration of Findings and Recommendations of the Classification and Compensation Committee for FY 2015-16 and Authorize Human Resources Director to Conduct Meet and Confer with the Applicable Employee Associations.

Deputy Human Resources Director Sarah Jansen presented the item to the Board.

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

On motion of Supervisor Brown, and by vote of the Board, approved in concept these recommendations, and authorized the Human Resources Director to initiate the Meet and Confer process with employee associations, as applicable. The motion carried by the following vote:

Ayes- Supervisors: 4 - Smith, Brown, Steele and Farrington

Absent- Supervisors: 1 - Comstock

9.5 (Sitting as the Lake County Watershed Protection District, Board of Directors) - Approve Purchase Agreement for Property located at 755 & 737 E. State Hwy 20, Upper Lake (APN 004-010-04 & 004-013-18), in the amount of $1,510,000 which is fully funded by CDWR grant funds for the Middle Creek Flood Damage Reduction and Ecoysytem Restoration Project, and authorize the Chair to sign, and authorize the Clerk of the Board to certify the grant deed for recordation.

Water Resources Director Scott DeLeon presented the item to the Board.

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

On motion of Director Steele, and by vote of the Board, approved the Purchase Agreement for Property located at 755 & 737 E. State Hwy 20, Upper Lake (APN 004-010-04 & 004-013-18), in the amount of $1,510,000 which is fully funded by CDWR grant funds for the Middle Creek Flood Damage Reduction and Ecoysytem Restoration Project, and authorized the Chair to sign, and authorized the Clerk of the Board to certify the grant deed for recordation. The motion carried by the following vote:

Ayes- Supervisors: 4 - Smith, Brown, Steele and Farrington

Absent- Supervisors: 1 - Comstock

9.6 Consideration of Continuing the Proclamation of a Local Emergency Due to Drought Conditions

Emergency Services Manager Marisa Chilafoe presented the item to the Board.

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

On motion of Supervisor Brown, and by vote of the Board, extended the Proclamation of a Local Emergency due to drought conditions. The motion carried by the following vote:

Ayes- Supervisors: 4 - Smith, Brown, Steele and Farrington

Absent- Supervisors: 1 - Comstock

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, J. DeHaan, K. Ferguson and S. Jansen; (b) Employee Organizations: DDAA, DSA, LCCOA, LCEA and LCSEA

10.2 Conference with Legal Counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1): Lakeside Heights HOA v. County of Lake

The Board reconvened into Regular Session at 12:43 p.m. having taken no action.

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 12:43 p.m.

MATT PERRY
Clerk of the Board

By: ________________________________
Alicia M. Flores
Assistant Clerk of the Board

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Chair - Lake County Board of Supervisors