COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, December 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 Alicia Flores were present, along with the following Supervisors:

Supervisors Comstock, Smith, Steele, Farrington, Brown

2. Moment of Silence

A moment of silence was observed.

3. Pledge of Allegiance

Led by Supervisor Farrington.

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

Animal Care & 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 extra items to consider.

6. Current Construction Projects - Contract Change Orders

There were no contract change orders to consider.

7. Approval of the Consent Agenda

7.1 Approve Golden State Finance Authority (GSFA) Second Agreement for Residence Emergency Disaster Assistance Program Member County: Lake, an increase of $700,000 and Authorize the Chair to sign.

7.2 Approve Second Amendment to Agreement between the County of Lake and the Lake County Chamber of Commerce to provide visitor information services and support the growth and vitality of local businesses, for an extended term of January 1, 2017 to June 30, 2017 and an increase of $30,000 and authorize the Chair to sign.

7.3 Approve First Amendment to Agreement between the County of Lake and Tony Barthel to provide destination marketing program implementation and management services in support of Lake County Destination Tourism Marketing Efforts for an extended term ending June 30, 2017 at an additional cost of $20,000 and Authorize the Chair to sign.

7.4 Approve Second Amendment for Agreement between the County of Lake and This is the Crowd, USA, Inc., for display on-line advertising campaign, creation, monthly management, optimization and reporting for Lake County Destination Marketing, for an extended term of January 1, 2017 to June 30, 2017, at an additional cost of $11,970 and authorize the Chair to sign.

7.5 Approve Leave of Absence Request for Selena Jackson, Substance Abuse Counselor, from November 28 2016 to December 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.

7.6 Approve Agreement between the County of Lake and Prentice, Long, Epperson, for labor negotiation and labor relations services for a duration of three (3) years, not to exceed $35,000 annually and authorize the Chair to sign.

7.7 Appoint the Public Services Director and County Administrative Officer, or their designees, to serve as the negotiating team relative to the purchase of property for the Lower Lake Parks Maintenance Shop.

7.8 (a) Waive the formal bidding process, per Ordinance #3043, Purchasing code 38.2, as it is not in the public interest due to the unique nature of goods or services; (b) Approve the Request to Establish a Participation Agreement with Partnership HealthPlan of California (PHC); and (c) Approve the Letter Of Agreement Between Partnership HealthPlan of California and Lake County of California, Behavioral Health Department; and (d) Authorize the Lake County Behavioral Health Interim Director to sign the Letter of Agreement.

7.9 Adopt Resolution Accepting Official Canvass of the Consolidated General Election Held November 8, 2016; Declaring Certain County Officials Duly Elected; Appointing Directors of Certain Special District Boards; And Declaring the Results of County Measure Under the Board's Jurisdiction.

Enactment No: Resolution No. 2016-190

7.10 Approve Permit for Tom's Aircraft, LLC to Conduct Aeronautical Activities at Lampson Airport for FY 2016-2017 and Authorize Chair to Sign.

7.11 Approve Budget Transfer in Budget Unit No. 2301 – Sheriff/Jail from Fixed Asset account no. 62.79 to Fixed Asset account no. 62.74, in the amount of $27,407 for the purchase of two (2) replacement washing machines for the Lake County Jail facility and authorize the Chair to sign.

7.12 Approve Agreement Between the County of Lake and Adult Protective Services (APS) Tracking/Reporting Software for a Maximum Compensation Amount of $10,560 Annually for a Total of $31,680 With the Three Year Term Beginning July 1, 2016; and authorize the Chair to Sign

7.13 Approve Budget Transfer for Budget Unit No. 8109 - Flood Control from Account No. 53.48 – Water Quality Improvement to Fixed Asset Account No. 62.74 – Equipment (Other), for the purchase of a Cargo Trailer in the amount of $6,552 to store and transport the quagga boat to fairs and other outreach events.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.1 through 7.13. The motion carried by the following vote:

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

8. Timed Items

8.1 9:05 A.M. - Public Input

There was no public input.

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

Lake County Health Officer, Dr. Karen Tait presented the item to the Board.

Environmental Health Director Ray Ruminski was also present and provided a brief update to the Board stating that as of end of day December 16, 2016, 148 lots had been register for clean up through the CalRecycle program and 134 of those have been completed. Erosion control is nearly complete and a late sign up for the project in the Copsey Creek sub division lots resulted in removal of 32,969 tons of materials being removed (metal recycling, landfill disposal, concrete and green waste). Mr. Ruminski informed the Board that as of December 9, 2016 the cost was $7,900,000, significantly less than that of Valley Fire. In addition to that, private contractors and property owners have cleared 44 lots. 11 properties were issued a Notice of Nuisance, Order to Abate, 5 of which have contacted the County stating they were in the process of securing private contractors.

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 continuation of a 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, Farrington and Brown

8.3 9:16 A.M. - 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

Undersheriff Chris Macedo 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 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 - Comstock, Smith, Steele, Farrington and Brown

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

Undersheriff Chris Macedo presented the item to the Board.

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

On motion of Supervisor Comstock, and by vote of the Board, approved the proclamation of a declaration of a local emergency due to Clayton Fire. The motion carried by the following vote:

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

8.5 9:30 A.M. - PUBLIC HEARING - Consideration of Resolution Approving Amendment Number Two to Community Development Block Grant (CDBG) Agreement No. 12-CDBG-8395

Chair Brown opened the Public Hearing.

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 hearing was closed.

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

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

Enactment No: Resolution No. 2016-191

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

During calendar, County Administrative Officer clarified that District 1 and District 4 Supervisors would hold over until January 3, 2017 @ 8am when new supervisors are sworn in.

9.2 Consideration of Amendment No.2 to Lease Agreement between the County of Lake and Marymount California University, for lease of buildings and grounds located at 3700 Country Club Drive, historically known as Lucerne Hotel.

County Administrative Officer Carol Huchingson presented the item to the Board. Deputy County Administrative Officer - Economic Development, Michelle Scully was also present and spoke.

Chair Brown asked if anyone present wished to speak and Tom Slate spoke. No one else 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 Amendment No.2 to Lease Agreement between the County of Lake and Marymount California University, for lease of buildings and grounds located at 3700 Country Club Drive. The motion carried by the following vote:

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

9.3 (Second Reading) Consideration of an Ordinance Establishing Article XXVIII in Chapter 2 of the County Code Providing the Authority and Procedures for Adopting and Administering a Master Fee Schedule

This item is being postponed to January 3, 2017, as noticing requirements were not met.

9.4 Consideration of Resolution of the Lake County Board of Supervisors Dissolving the Solid Waste Independent Hearing Panel, Approving Procedures and Qualifications for the Appointment of a Hearing Officer, and Appointing a Hearing Officer for Local Enforcement Agency Hearings on Appeals and Petitions Pursuant to California Public Resources Code Section 44307, 44308, and 44310

Health Services Director Denise Pomeroy and Environmental Health Director Ray Ruminski 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.

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

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

Enactment No: Resolution No. 2016-192

9.5 Consideration to (a) Waive the normal sealed bid process under Ordinance #2406, Section 38.2, for the purchase of four (4) Central Garage Pool Vehicles and one (1) Department-assigned Vehicle; and (b) Authorize the Public Works Director/Assistant Purchasing Agent to issue a purchase order through the Statewide Bid Contract in the amount of $16,791.39, a purchase order to Kathy Fowler in the amount of $62,881.65, and a purchase order to Ukiah Ford in the amount of $26,172.68

Public Works Director Scott De Leon presented the item to the Board.

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

On motion of Supervisor Comstock, and by vote of the Board, waived the normal sealed bid process under Ordinance #2406, Section 38.2, for the purchase of four (4) Central Garage Pool Vehicles and one (1) Department-assigned Vehicle. The motion carried by the following vote:

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

On motion of Supervisor Comstock, and by vote of the Board, authorized the Public Works Director/Assistant Purchasing Agent to issue a purchase order through the Statewide Bid Contract in the amount of $16,791.39, a purchase order to Kathy Fowler in the amount of $62,881.65, and a purchase order to Ukiah Ford in the amount of $26,172.68. The motion carried by the following vote:

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

9.6 ADDENDUM - Discussion and consideration of repurposing of funds budgeted in Budget Unit (BU) 2604 for nuisance abatements of hazard trees in the Valley Fire burn area and not issuing permits until it has been established that hazard trees have been removed prior to beginning construction

Chair Brown introduced the item to the Board. U.C. Cooperative Extension Director Greg Guisti and Community Development Director Robert Massarelli were present and spoke.

County Counsel Anita Grant clarified the private/public nuisance difference and stated that in order for the County to abate it would have to be a PUBLIC nuisance.

Chair Brown asked if anyone wished to speak and the following people spoke: Robert Stark, Elliott Hermus, Jessica Pysco, Joan Moss and Jessica Lyttell. In response to a public comment, Chair Brown clarified that the contract with Ashbritt was for right-of-way tree removal. No one else wished to speak and the public input portion of this item was closed.

There was Board consensus to staff to prepare a program document, accepting complaints from folks who have built homes and have been unsuccessful at getting neighbors to remove trees. Mr. Guisti will inspect the trees and Community Development Department would move forward with abatement for Valley and Clayton fire burn scars. A public nuisance abatement clause should also be included on the form.

10. Closed Session

At 10:39 a.m., Chair Brown announced the Board would 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-16-05), Pursuant to Gov. Code Sec. 54957

10.3 Public Employee Evaluations
Title: Community Development Director

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

The Board reconvened into Regular Session at 11:35 a.m. and took the following action:

On motion of Supervisor Smith, and by vote of the Board, appointed Philip Moy as Water Resources Director effective January 3, 2017. The motion carried by the following vote:

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

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 11:36 a.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: ______________________________
Alicia Flores
Assistant Clerk of the Board

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Chair-Lake County Board of Supervisors