COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final
BOARD OF SUPERVISORS

Tuesday, September 27, 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 observed.

3. Pledge of Allegiance

Led by Jeff Smith.

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

No one was present from Animal Care and Control.

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

County Administrative Officer Carol Huchingson announced that there was an Extra Item to be considered on the agenda related to a Human Resources issue that needed to be addressed before the next Board Meeting.

On motion of Supervisor Steele, and by vote of the Board, approved the request for Extra item 5.1 to be considered for the reasons stated. The motion carried by the following vote:

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

5.1 Extra Item #1 - Consideration of Approval of Leave of Absence Request for Selena Jackson, Substance Abuse Counselor, from September 1, 2016 to September 30, 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.

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

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 Steele, and by vote of the Board, approved the Leave of Absence Request for Selena Jackson, Substance Abuse Counselor, from September 1, 2016 to September 30, 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. The motion carried by the following vote:

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

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders.

7. Approval of the Consent Agenda

Consent Agenda Item 7.5 was pulled at the request of Joan Moss and Item 7.7 was pulled at the request of Supervisor Steele to be taken up later in the meeting.

7.1 (a) Waive the formal bidding process, per Ordinance #2406, 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 Manzanita House for Adult Residential Support Services and Specialty Mental Health Services for Fiscal Year 2016-17 for the amount of $120,450 and authorize the Board Chair to sign the Agreement.

7.2 (a) Waive the formal bidding process, per Ordinance #2406, 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 Clover Valley Guest Home for Adult Residential Support Services and Specialty Mental Health Services for Fiscal Year 2016-17 for the amount of $40,150 and authorize the Board Chair to sign the Agreement.

7.3 (a) Waive the formal bidding process, per Ordinance #2406, 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 Redwood Community Services, Inc. for the MHSA Transitional Age (TAY) Drop-In Center for Fiscal Year 2016-17 for the amount of $61,200 and authorize the Board Chair to sign the Agreement.

7.4 (a) Waive the formal bidding process, per Ordinance #2406, 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 Redwood Community Services, Inc. for the Transitional Age Youth (TAY) Peer Support Program for Fiscal Year 2016-17 for the amount of $40,000 and authorize the Board Chair to sign the Agreement.

7.5 Adopt Resolution approving Public Health to apply for a Grant from the California Department of Healthcare Services (DHCS) for up to a Five Year Local Dental Pilot Project for a minimum of $1,100,000.

This item was pulled from the Consent Agenda and taken up immediately after.

Interim Public Health Director Denise Pomeroy 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 Steele offered the Resolution and it was passed by roll call vote:

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

Enactment No: 2016-151

7.6 Adopt Resolution amending the 2014-2017 Childhood Lead Poisoning Prevention Branch (CLPPP) Grant Program in the amount of $69,113 and Authorize the Interim Director/Director of Health Services to sign said Application and Grant

Enactment No: 2016-152

7.7 Approve the submission of the FY2016 State Homeland Security Grant Application in the amount of $141,233 and authorize the Sheriff to sign the grant application.

This item was pulled from the Consent Agenda and taken up immediately after.

Sheriff Brian Martin presented the item to the Board.

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 the submission of the FY2016 State Homeland Security Grant Application in the amount of $141,233 and authorize the Sheriff to sign the grant application.. The motion carried by the following vote:

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

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.1 through 7.7, with the exception of 7.5 which was pulled at the request of Joan Moss and 7.7 which was pulled at the request of Supervisor Steele. Both items were taken up immediately after approval of the Consent Agenda. 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

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 present and spoke. Two hundred residential structures have been affected by the Clayton Fire. Sixty of those residences have signed up with the State Cleanup and Debris Removal program starting Monday, October 3, 2016 which will begin with the toxic materials removal. The major evaluation and debris removal will start on Monday, October 10, 2016. An additional twenty residences are registered with private contractors and have begun the clean up process.

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 - Steele, Farrington, Smith, Brown and Comstock

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Consideration of the Following Appointments:
Mental Health Board

Supervisor Farrington 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 Farrington, and by vote of the Board, appointed Patricia Ann Treppa to the Mental Health Board. The motion carried by the following vote:

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

9.3 Consideration of (a) An Amendment to Agreement for legal services by and between the County of Lake and Porter Scott, LLC. for legal services in connection with Lakeside Heights litigation for an agreement maximum of $200,000; and (b) A Resolution authorizing the submittal of an application to the California State Association of Counties - Excess Insurance Authority for a low-interest loan for defense costs in Lakeside Heights HOA, et al. v. County of Lake, et al.

Chair Brown recused himself for this item.

County Counsel Anita Grant presented the item to the Board.

Chair Smith 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 Farrington, and by vote of the Board, approved the Amendment to Agreement for legal services by and between the County of Lake and Porter Scott, LLC. for legal services in connection with Lakeside Heights litigation for an agreement maximum of $200,000. The motion carried by the following vote:

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

(b) Supervisor Farrington offered the Resolution and it was passed by roll call vote:

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

Enactment No: 2016-153

9.4 Consideration of Resolution Adopting Amendment Number Three to the Memorandum of Understanding between the Lake County Correctional Officers Association and the County of Lake for Calendar Years 2014-15

The item was self-explanatory and Board did not request staff to be present.

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

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

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

Absent- Supervisors: 1 - Brown

Enactment No: 2016-154

9.5 Consideration of Resolution Adopting Memorandum of Understanding by and Between the Lake County Correctional Officers Association and the County of Lake for the Term of January 1, 2016 - December 31, 2017

The item was self-explanatory and Board did not request staff to be present.

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

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

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

Absent- Supervisors: 1 - Brown

Enactment No: 2016-155

9.6 Consideration of Approval to (a) Waive the formal bidding process, per Ordinance #2406, Purchasing Code No. 38.2; and (b) Authorize the Public Services Director to issue a Purchase Order to Charter Sales Company to purchase a 2011 M2106 Freightliner Water Truck in the amount of $92,402.20, which includes sales tax, document fees and DMV fees.

The item was self-explanatory and Board did not request staff to be present.

Chair Smith 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 Comstock, and by vote of the Board, approved to waive the formal bid process for the agenda item. The motion carried by the following vote:

Ayes: Supervisors Comstock, Smith, Steele and Farrington
Absent: Supervisor Brown

(b) On motion of Supervisor Comstock, and by vote of the Board, authorized the Public Services Director to issue a Purchase Order to Charter Sales Company to purchase a 2011 M2106 Freightliner Water Truck in the amount of $92,402.20, which includes sales tax, document fees and DMV fees. The motion carried by the following vote:

Ayes: Supervisors Comstock, Smith, Steele and Farrington
Absent: Supervisor Brown

9.7 Consideration of Proposal for the County to Operate the C. Gibson Museum and Culture Center in Middletown

Public Services Director Lars Ewing presented the item to the Board. Museum Curator Tony Pierucci was also present and spoke.

Chair Brown asked if anyone present wished to speak and the following person spoke: Voris Brumfield. 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 the proposal for the County to Operate the C. Gibson Museum and Cultural Center in Middletown and directed staff to proceed with the next steps of the process to adopt the Museum into the County-Operated Museum Family. The motion carried by the following vote:

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

9.8 Consideration of continuing the Proclamation of a Declaration of a Local Emergency due to wildfire conditions, pertaining to Rocky, Jerusalem and Valley Fires.

Sheriff Brian Martin presented the item to the Board.

Chair Brown asked if anyone 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 continuing the Proclamation of a Declaration of a Local Emergency due to wildfire conditions, pertaining to Rocky, Jerusalem and Valley Fires. The motion carried by the following vote:

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

9.9 Consideration of continuing the Proclamation of a Declaration of a Local Emergency due to the Clayton Fire

Sheriff Brian Martin presented the item to the Board.

Chair Brown asked if anyone 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 continuing the Proclamation of a Declaration of a Local Emergency due to the Clayton Fire. The motion carried by the following vote:

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

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

The Board reconvened into Regular Session at 10:20 a.m.

On motion of Supervisor Smith, and by vote of the Board, approved the findings and decision in the employee disciplinary appeal 2016-03 and to deny the appeal. The motion carried by the following vote:

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

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

This Closed Session Item was not acted on

10.4 Conference with Legal Counsel - Existing Litigation pursuant to Gov. Code Sec. 54956.9(d)(1) - In the Matter of the Application of California Water Service Company, Application 15-07-015

On motion of Supervisor Smith, and by vote of the Board, approve the settlement agreement with Cal Water in its rate proceeding No. A 15-07-015 which is projected to result in a reduction of the current charges paid by many of the ratepayers in Lucerne.

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

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

Carried over to the October 4, 2016 meeting.

10.6 Public Employee Evaluations
Title: Child Support Services Director
Title: County Administrative Officer

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 10.20 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