COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, May 19, 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 the following Supervisors:
Present: Supervisor Comstock, Supervisor Smith, Supervisor Steele, Supervisor Brown, and Supervisor Farrington

2. Moment of Silence

Supervisor Brown dedicated the moment of silence to John Paul Clark and Betty Sweeney.

3. Pledge of Allegiance

Led by County Administrative Officer Matt Perry.

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

Animal Care and Control Officer Jenna Alvarez presented one canine currently available for adoption and also introduced new Animal Care and Control Officer Alicia Brisker.

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

There were no Contract Change Orders.

7. Approval of the Consent Agenda

Consent Agenda items 7.1, 7.12, and 7.15 were pulled and taken up later in the day.

7.1 Approve Amendment No. 1 to Agreement between the County of Lake and T-Mobile for Facility Space License Agreement on Buckingham Peak, to allow T-Mobile to place additional equipment and pay the County $100,000 towards the power upgrade project, and authorize the Chair to sign.

This item was continued and will be taken up at a later date.

7.2 Adopt Proclamation Designating the Week of May 16-22, 2015 as Safe Boating Week in Lake County, CA.

7.3 Adopt Proclamation Honoring Congressman Mike Thompson for 25 Years of Outstanding and Dedicated Public Service.

7.4 Adopt Proclamation Designating the Month of May 2015 as Military Appreciation Month in Lake County, CA.

7.5 Approve Letter of Support for SCR 48: Geothermal Awareness Proclamation.

7.6 Approve Updated County Equal Employment Opportunity Plan.

7.7 Adopt Resolution Expressing Support for the Lower Lake High School Homecoming Parade.

Enactment No: Resolution No. 2015-68

7.8 Approve Request for Out of State Travel for Jessica Hamner, Health Programs Coordinator, Public Health Division to attend the third National Health Impact Assessment (HIA) Meeting June 16-17, 2015 in Washington, DC.

7.9 Adopt Resolution Authorizing Cancellation of Special Districts Administration Designated Equipment Reserve in the amount of $54,215 for vehicle purchase for Utility Area II and authorize Special Districts Administrator to issue purchase order to Downtown Ford Sales in the amount of $54,214.55 under the State of California Contract.

Enactment No: Resolution No. 2015-69

7.10 Approve "Deferred Improvement Agreement" for Final Parcel Map - Franklin PM 14-02 and authorize for the Chair to Sign.

7.11 Adopt Resolution Amending Resolution No. 2014-112 Establishing Position Allocations for Fiscal Year 2014-2015 Budget Unit No. 8695, Special Districts Administration to temporarily increase number of Water/Wastewater Treatment Plant Operators from 8 to 9.

Enactment No: Resolution No. 2015-70

7.12 Adopt Resolution Amending Exhibit "A" to the County Conflict of Interest Code.

This item was pulled at the request of Supervisor Steele.

This item was continued to May 26, 2015.

7.13 (Sitting as the Lake County Watershed Protection District, Board of Directors) - Approve Purchase Agreement for Property located at 7500 Reclamation Road, Upper Lake (APN 004-021-27), in the amount of $275,000 for the Middle Creek Flood Damage Reduction and Ecoysystem Restoration Project, and authorize the Chair to sign.

7.14 Award Bid for 2015 Countywide Chip Seal Asphaltic Emulsions Project in Lake County, CA, Bid No. 15-04, to Western Emulsions, Inc. in the amount of $305,847.28 and authorize for Chair to Sign

7.15 Award Bid for 2015 Countywide Chip Seal Screenings Project in Lake County, CA, Bid No. 15-05, to Granite Construction Co. Inc. in the amount of $150,029.50 and authorize for Chair to Sign.

This item was pulled from the Consent Agenda and taken up later in the day.

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

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

There was Board consensus to direct Community Development staff to prepare a letter to Granite Construction regarding the neglect of one of their properties.

On motion of Supervisor Comstock, and by vote of the Board, awarded the bid for 2015 Countywide Chip Seal Screenings Project in Lake County, CA, Bid No. 15-05, to Granite Construction Co. Inc. in the amount of $150,029.50 and authorized the Chair to sign. The motion carried by the following vote:

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

7.16 (Sitting as the Lake County Watershed Protection District, Board of Directors) - Approve Joint Funding Agreement with US Geological Survey, in the amount of $13,700 to provide for operation of stream gauge station on Kelsey Creek and authorize for the Chair to sign.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda items 7.1 through 7.16, with the exception of items 7.1, 7.12, and 7.15. The motion carried by the following vote:

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

8. Timed Items

8.1 9:05 A.M. - Public Input

Public input: Craig Bach, Virginia Graziani, Charles Moton, Robert Patton, and Paul Kolb.

8.2 9:06 A.M. - Swearing in ceremony for newly hired Correctional Officer, Christine Kawski.

This item was continued to May 26, 2015.

8.3 9:10 A.M. - Presentation of (a) Proclamation Designating the Week of May 16-22, 2015 as Safe Boating Week in Lake County, CA; and (b) Proclamation Designating the Month of May 2015 as Military Appreciation Month in Lake County, CA.

a) Supervisor Comstock read the proclamation into the record and presented it to Ginny Craven, who spoke. A song written by Supervisor Brown was played.

b) Supervisor Steele read the proclamation into the record and presented it to Lake County Floatilla 88 Commander Dan Fish, who spoke. Mr. Fish introduced the following members of Floatilla 88: Bruce Brockerson, Dorothy DeLope, Marisa Chilafoe, and Dan Hayward.

8.4 9:15 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance amending Chapter 21 of the Ordinance Code of the County of Lake pertaining to age limits for installation of used manufactured homes on private property

Community Development Director Richard Coel presented the item to the Board.

Chair Farrington opened the public hearing and the following people spoke: Heather Powers, Greg Scott, and Joan Moss. No one else present wished to speak and the public hearing was closed.

There was Board consensus to work with Community Development staff to develop some criteria for either an exception or appeal process to be added to the Ordinance.

This item was continued and will be taken up at a later date.

8.5 9:30 A.M. - PUBLIC HEARING - Consideration of Planning Commision's recommendation of GPAP 14-01 and RZ 14-02 proposing a general plan amendment of one parcel from Commercial Resort/Rural Residential to Suburban Residential Reserve/Rural Residential and Commercial Resort and a rezone from "CR-DR-SC-WW-FF" Resort Commercial-Design Review-Scenic Combining-Waterway-Floodway Fringe; "RR-DR-SC" Rural Residential-Design Review-Scenic Combining to "SR-DR-SC-WW-FF" Suburban Reserve-Design Review-Scenic Combining-Waterway-Floodway Fringe; "CR-DR-SC-WW-FF" Commercial Resort-Design Review-Scenic Combining-Waterway-Floodway Fringe and "RR-DR-SC" Rural Residential-Design Review-Scenic Combining; applicants are Daniel Streckful and Donna Streckfus; project location 9435 Konocti Bay Road, Kelseyville (APN 009-016-05); and consideration of proposed mitigated negative declaration based on Initial Study (IS 14-27)

Community Development Director Richard Coel introduced Richard Knoll, who presented the item to the Board.

Chair Farrington opened the public hearing and the following people spoke: Joan Moss and Bonnie Goodwin. No one else present wished to speak and the public hearing was closed.

On motion of Supervisor Brown, and by vote of the Board, approved the General Plan Amendment and Rezone as applied for by Daniel and Donna Streckfus, determined that it will not have a significant effect on the environment, and adopted a negative declaration with the findings set forth in the Board Memorandum dated April 24, 2015. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

Supervisor Brown offered the Resolution and it was passed by roll call vote (5 ayes).

On motion of Supervisor Brown, and by vote of the Board, waived the reading of the Ordinance, to be read in title only (Clerk did so).

Supervisor Brown offered the Ordinance and it was passed by roll call vote (5 ayes).

Enactment No: Resolution No. 2015-71/Ordinance No. 3024

8.6 9:45 A.M. - Consideration of (a) Approval of Letter of Agreement approving the participation of the County of Lake, by and through Lake County Special Districts, in the Proposition 84 Integrated Regional Water Management Drought Grant and approving Yolo County Flood Control and Water Conservation District as the fiscal agent; (b) Adoption of Resolution of County of Lake Approving the Pre-Annexation and Annexation Agreement by and between the County, on behalf of County Service Area No. 16 and Clearlake Oaks County Water District and authorizing the Chair to sign; (c) Request for Waiver of the Competitive Bidding Process and Approval of Award of Construction Contract to O.C. Jones & Sons for the Installation of Pipeline in Highway 20 for the County Service Area No. 16 Waterline Extension in the amount of $840,000 and authorize the Chair to sign; (d) Request for Waiver of the Consultant Selection Process and Approval of the Agreement for Engineering Services for Water Distribution System Modeling for Clearlake Oaks Water System Zone 1 as required by the Pre-Annexation and Annexation Agreement by and between the County of Lake, on behalf of County Service Area No. 16, and MC Engineering, an amount not to exceed $37,800 and authorize the Chair to sign; and (e) Approval of an Agreement by and between the County of Lake and Pacific Legacy, Inc. for archeological services for the County Service Area No. 16 - Paradise Valley Water System Interties Pipeline Project in an amount not to exceed $37,000 and authorize the Chair to sign.

Special Districts Administrator Mark Dellinger and Compliance Manager Jan Coppinger presented the item to the Board.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Richard Quewin, Carol Sheppard, Dick Carlisle, Bonnie Goodwin, Joan Moss, and Jim Burger. No one else present wished to speak and the public input portion of the item was closed.

a) On motion of Supervisor Steele, and by vote of the Board, approved the letter of agreement approving the participation of the County of Lake, by and through Lake County Special Districts, in the Proposition 84 Integrated Regional Water Management Drought Grant, approved Yolo County Flood Control and Water Conservation District as the fiscal agent, and authorized the Special Districts Administrator to sign. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

b) Supervisor Steele offered the Resolution (as amended) and it was passed by roll call vote (5 ayes).

c) On motion of Supervisor Smith, and by vote of the Board, waived the competitive bidding process and authorized the Special Districts Administrator to negotiate a contract with O.C. Jones & Sons for the Installation of Pipeline in Highway 20 for the County Service Area No. 16 Waterline Extension in an amount not to exceed $840,000 and authorized the Special Districts Administrator to sign. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

d) On motion of Supervisor Steele, and by vote of the Board, waived the consultant selection process and approved the agreement for Engineering Services for Water Distribution System Modeling for Clearlake Oaks Water System Zone 1 as required by the Pre-Annexation and Annexation Agreement by and between the County of Lake, on behalf of County Service Area No. 16 and MC Engineering in an amount not to exceed $37,800 and authorized the Chair to sign. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

e) On motion of Supervisor Steele, and by vote of the Board, approved an agreement by and between the County of Lake and Pacific Legacy, Inc. for Archeological Services for the County Service Area No. 16 - Paradise Valley Water System Interties Pipeline Project in an amount not to exceed $37,000 and authorized the Chair to sign. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

8.7 10:15 A.M. - Consideration of North Coast Counties Marijuana Policy Statement and approval of said policy statement as an amendment to County of Lake's 2015 State Legislative Priorities.

Chair Farrington presented the item to the Board. County Administrative Officer Matt Perry and Undersheriff Chris Macedo spoke on this item as well.

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

On motion of Supervisor Brown, and by vote of the Board, approved the North Coast Counties Marijuana Policy Statement as an amendment to the County's 2015 State Legislative Priorities and authorized the Chair to sign a letter of transmittal addressed to Assemblymember Dodd, Senator McGuire, the California State Association of Counties (CSAC) and the Rural County Representatives of California. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

There was Board consensus to direct the Board's representative to CSAC and RCRC to advocate for policies consistent with this policy statement within each of the respective organizations.

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

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Presentation on Community Choice Aggregation program for electrical power purchase, including renewable energy, for residents and businesses in the unincorporated area of Lake County.

Peter Rumble, Chief Executive of California Clean Power, gave the presentation to the Board.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Joan Moss, Lenny Mathews, Special Districs Administrator Mark Dellinger, and Heather Powers. No one else present wished to speak and the public input portion of the item was closed.

There was Board consensus to bring an Ordinance back for consideration on May 26, 2015.

9.3 Discussion and Consideration of County Land Record Audit.

Chair Farrington introduced the item to the Board.

Assessor-Recorder Richard Ford presented information surrounding cost analysis of such an audit, as well as information regarding processes and procedures of the Assessor-Recorder's office. District Attorney Don Anderson also spoke.

Chair Farrington asked if anyone present wished to speak and the following people spoke: Larry Anderson and Liza Chavez.

Chair Farrington passed the gavel to Vice-Chair Brown and was absent for the remainder of the item.

Vice-Chair Brown asked if anyone else present wished to speak and the following people spoke: John Zebelean, Dean Gothom, and Joan Moss. No one else present wished to speak and the public input portion of the item was closed.

This item was for information only. No action was taken by the Board.

9.4 Consideration of Staff's request to use the former Visitor Information Center in Lucerne as a Department of Social Services satellite office

Social Services Director Carol Huchingson 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 the item was closed.

On motion of Supervisor Steele, and by vote of the Board, approved staff's request to use the former Visitor Information Center in Lucerne as a Department of Social Services satellite office. The motion carried by the following vote:

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

Nayes- Supervisors: 1 - Farrington

9.5 SECOND READING - Consideration of proposed Ordinance Amending Specified Sections of Article I of Chapter 2 of the Lake County Code Relating to Meetings of the Board of Supervisors.

County Counsel Anita Grant 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 the item was closed.

On motion of Supervisor Smith, and by vote of the Board (5 ayes), waived the reading of the Ordinance, to be read in title only (Clerk did so).

Supervisor Smith offered the Ordinance and it was passed by roll call vote (5 ayes).

Enactment No: Ordinance No. 3025

9.6 ADDENDUM: Consideration of Sheriff's request to purchase 4 portable repeaters; (a) Approve Budget Transfer in BU 2704 Emergency Services to transfer $29, 979 from account 62.79 to 62.74; and (b) Authorize Purchasing Agent to issue a Purchase Order to FisherWireless Services, Inc. in the amount of $46, 685.32.

Undersheriff Chris Macedo 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.

a) On motion of Supervisor Brown, and by vote of the Board, approved Budget Transfer in BU 2704 Emergency Services to transfer $29,979 from account 62.79 to 62.74. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

b) On motion of Supervisor Brown, and by vote of the Board, authorized Purchasing Agent to issue a Purchase Order to FisherWireless Services, Inc. in the amount of $46,685.32. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Brown, and Farrington

10. Closed Session

10.1 Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, M. Perry and K. Ferguson; and (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): City of Lakeport v. County of Lake, et al.

The Board reconvened into Regular Session at 4:18 p.m. having taken no action.

11. Adjournment

There being no further business, the Board adjourned at 4:18 p.m.

MATT PERRY
Clerk of the Board

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

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