



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, October 26, 2021

9:00 AM

Board Chambers

Please see agenda for public participation information and eComment submission on any agenda item.

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Sabatier. County Administrative Officer Carol Huchingson, County Counsel Anita Grant, and Assistant Clerk of the Board Johanna DeLong were present, along with the following Supervisors:

Present: Supervisor Simon, Supervisor Crandell, Supervisor Scott, Supervisor Pyska and Chair Sabatier

2. Moment of Silence

A moment of silence was dedicated to the victims of the recent car accident.

3. Pledge of Allegiance

Led by Supervisor Scott.

4. Consideration of Extra Items Not Appearing on the Posted Agenda

4.1 EXTRA ITEM: (a) Consideration of "extra" agenda item, and, (b) Consideration of a Letter of Opposition to Placement of Lake County in Visual Congressional District North Coast

County Administrative Officer Carol Huchingson presented the item to the Board. Deputy County Administrative Officer Matthew Rostein spoke.

Chair Sabatier asked if anyone present wished to speak and the following people spoke via Zoom: Gillian Parillo and Alan Flora. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Simon, and by vote of the Board, approved taking this item up as an Extra Item. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

On motion of Supervisor Crandell, and by vote of the Board, approved Letter of Opposition to Placement of Lake County in Visual Congressional District North Coast as amended. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

5. Approval of the Consent Agenda

- 5.1** Approve Amendment No. 2 to Agreement for Recruitment Services for Lake County Public Health Officer

- 5.2** Adopt Resolution Reappointing Anita L. Grant as County Counsel for the County of Lake

Enactment No: Resolution No. 2021-134

- 5.3** Adopt Resolution Authorizing the Agreement in the amount of \$757,550.00 between the County of Lake and the California Mental Health Services Authority for the period of Agreement execution through December 31, 2024 and Authorize the Board Chair to sign the Agreement.

Enactment No: Resolution No. 2021-135

- 5.4** Adopt Proclamation Designating the Month of October 2021 as Domestic Violence Awareness Month

- 5.5** Approve Continuation of Resolution Authorizing Teleconfered Meetings during a State of Emergency Continue to Exist

- 5.6** Approve the Lake County District Attorney's Office - Victim Witness Division's Policy for Direct Financial Victim Assistance

- 5.7** Adopt Resolution Approving County of Lake Health Services Department to submit a Renewal Application and Certification Statement for the Maternal, Child and Adolescent Health (MCAH) Grant with the State of California, Department of Public Health for Fiscal Year 2021 through 2022, in the amount of \$270,601.06 and Authorizing the Board Chair to sign said Certification and Interim Health Services Director to sign application.

Enactment No: Resolution No. 2021-136

- 5.8** Approve Amendment Five to the Agreement between the County of Lake and the Kelseyville Motel for COVID-19 Emergency Isolation Housing and Authorize the Board Chair to Sign

- 5.9** Adopt Resolution Approving the Certification Statement for the State Department of Health Care Services, CMS Branch's California Children's Services (CCS) Administration Plan Renewal Grant for FY 2021-2022 and Authorize the Board Chair to Sign Said Certification Statement

Enactment No: Resolution No. 2021-137

- 5.10** (a) Waive the formal bidding process, pursuant to Lake County Code Section 38.2, as it is not in the public interest due to the unique nature of goods or services; and (b) Approve the First Amendment to the Agreement between the County of Lake and Management Connections for Temporary Staffing Support Services completed during Fiscal Year 2021-22 for a sum not to exceed \$60,000 and authorize the Board Chair to sign the Amendment

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

Chair Sabatier 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 Simon, and by vote of the Board, Approved the First Amendment to the Agreement between the County of Lake and Management Connections for Temporary Staffing Support Services completed during Fiscal Year 2021-22 for a sum not to exceed \$60,000 and authorized the Board Chair to sign the Amendment the Report was Adopted. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

- 5.11** Authorize the IT Director to issue a Purchase Order to Dell Technologies for Microsoft Windows Server licenses in the amount of \$29,930.00
- 5.12** (a) Waive the formal bidding process, pursuant to Lake County Code Section 38.2, as it is not in the public interest due to the unique nature of the goods or services, and (b) Approve the Master Agreement between the County of Lake and NCE for consulting services related to pavement preservation and rehabilitation of County Roads, and (c) Approve Supplemental Services Agreement Number 1 and authorize the Chair to sign the Agreements
- 5.13** Adopt Resolutions rescinding prior rejections and accepting certain roadways for public use for the purpose of providing increased water flow and necessary fire hydrants for fire protection to the communities of Forest Oaks and Bonanza Springs Subdivision No. 1

Enactment No: Resolution No. 2021-138

Enactment No: Resolution No. 2021-139

- 5.14** A) Approve the FY 2021 Emergency Management Performance Grant application in the amount of \$137,931 and B) Approve the FY 2021 Emergency Management Performance Grant – American Rescue Plan Act (ARPA) in the amount of \$60,483 and C) Authorize Sheriff Brian Martin to sign the Grant SubAward Face Sheet, the Authorized Agent document and the Subrecipient Grants Management Assessment form; D) Authorize County Administrative Officer, Carol J. Huchingson to act as the Authorized Agent on behalf of the County to sign the Standard Assurances and initial each page, the Lobbying Certification and the FFATA Financial Disclosure document and E) Authorize the Chairperson of the Board of Supervisors to sign the Certification of the Governing Body Resolution.

On motion of Supervisor Simon, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.14 with the exception of item 5.10 which was pulled for further discussion. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

6. Timed Items

6.1 9:05 A.M. - Public Input

There was no public input.

- 6.2** 9:06 A.M. - Presentation of Proclamation Designating the Month of October 2021 as Domestic Violence Awareness Month

Chair Sabatier read the proclamation into the record and presented it to Lake Family Resource Center.

Chair Sabatier asked if anyone present wished to speak and a representative of Lake Family Resource Center spoke. No one else wished to speak and the public input portion of this item was closed.

This Ceremonial Item was read into the record and presented.

- 6.3** 9:15 A.M. - Presentation of an Annual Report on the activities of Lake County Resource Conservation District

Deputy County Administrative Officer Matthew Rothstein introduced the item to the Board. Victoria Brandon presented a PowerPoint Presentation to the Board.

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

Presentation Only.

- 6.4** 9:30 A.M. - Consideration of the Clearlake-Lakeport Armory Exchange Agreement to Exchange the Properties Located at 1431 Hoyt Avenue, Lakeport, CA (APN 003-046-750-000) and 15837 18th Avenue, Clearlake, CA (APN 010-043-010)

County Administrative Officer Carol Huchingson introduced the item to the Board. Assistant County Administrative Officer Susan Parker presented the item to the Board. Sheriff Brian Martin spoke.

Chair Sabatier 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 Scott, and by vote of the Board, approved Clearlake-Lakeport Armory Exchange Agreement to Exchange the Properties Located at 1431 Hoyt Avenue, Lakeport, CA (APN 003-046-750-000) and 15837 18th Avenue, Clearlake, CA (APN 010-043-010). The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

- 6.5** 10:45 A.M. - PUBLIC HEARING - Discussion and Consideration of Appeal (AB 21-03) of the Planning Commission Approval of Major Use Permit (UP 20-45) and Adoption of Initial Study (IS 20-56) for a Commercial Cannabis Cultivation License on a Property Located at 10717 and 10680 Schuette Rd., Upper Lake; APN's 003-002-11 (Cultivation Site) and 003-001-21 (Clustering Property)

All members to the hearing were sworn in by the Clerk. County Counsel Anita Grant, Associate Planner Eric Porter, Kristen Renfro, and Mr. Franco spoke.

Chair Sabatier 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 Crandell, and by vote of the Board, Approved appeal no. AB 21-03 and overturn the Planning Commission's approval of Use Permit UP 20-45 and the adoption of Initial Study IS 20-56, applied for by Blue Lakes Organics, on two parcels located at 10680 and 10717 Schuette Road, Upper Lake; APNs: 003-001-21 and 003-002-11, and directed County Counsel to prepare findings of fact in support of approval of this appeal and remand the appeal back to the Planning Commission on reconducting the study. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

- 7.2** Direction to staff regarding recruitment for new Agriculture Commissioner upon the retirement of Steve Hajik effective February 11, 2022

County Administrative Officer Carol Huchingson presented the item to the Board. Human Resources Director Pam Samac spoke.

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

There was Board direction to conduct open recruitment for Agriculture Commissioner.

- 7.3** Consideration of (a) Waiving the formal bidding process, pursuant to Lake County Code Section 38.2, as it is not in the public interest due to the unique nature of goods or services; and (b) Approval of the Agreement between the County of Lake and North American Mental Health Services for Telehealth Psychiatry Services for Fiscal Year 2021-22 for a contract maximum of \$975,000.00 and authorize the Board Chair to sign the Agreement.

Behavioral Health Director Todd Metcalf presented the item to the Board. Deputy Administrator of Behavioral Health James Isherwood, Deputy Behavioral Health Director Elise Jones, County Counsel Anita Grant, and County Administrative Officer Carol Huchingson spoke.

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

Supervisor Scott made a motion to Waive the formal bidding process, pursuant to Lake County Code Section 38.2, as it is not in the public interest due to the unique nature of goods or services; and Approve the Agreement between the County of Lake and North American Mental Health Services for Telehealth Psychiatry Services for Fiscal Year 2021-22 for a contract maximum of \$975,000.00 and authorize the Board Chair to sign the Agreement. The motion died for lack of a majority vote:

Ayes- Supervisors: 2 - Simon and Scott

Nays- Supervisors: 3 - Crandell, Pyska, and Sabatier

On motion of Supervisor Scott, and by vote of the Board, rescinded the previous action. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

On motion of Supervisor Simon, and by vote of the Board, approved Agreement between the County of Lake and North American Mental Health Services for Telehealth Psychiatry Services for Fiscal Year 2021-22 for a contract maximum of \$975,000.00 with the Behavioral Health Director reporting to the administrative office by February 1, 2022 on the progress of the RFP and authorized the Board Chair to sign the Agreement. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

8. 10:00 A.M. Assessment Appeal Hearing - Sitting as the Board of Equalization

- 8.1** Approve withdrawal on the following Assessment Appeal Applications: No. 24-2019 Charles Bellig Trs., 01-2020 Rodney Miller, and 25-2020 Lakeshore Drive II

Chief Deputy Assessor-Recorder David Schwenger presented the item to the Board.

On motion of Director Scott, and by vote of the Board, approved withdraw on Assessment Appeal Applications: No. 24-2019 Charles Bellig Trs., 01-2020 Rodney Miller, and 25-2020 Lakeshore Drive II. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

- 8.2** Continue the following Assessment Appeal Applications: No. 21-2020 Renfro Family and 23-2020 Brad Revelli

Chief Deputy Assessor-Recorder David Schwenger presented the item to the Board.

On motion of Director Simon, and by vote of the Board, Continued the following Assessment Appeal Applications: No. 21-2020 Renfro Family and 23-2020 Brad Revelli. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

- 8.3** Approve Stipulation on the following Assessment Appeal Applications: a) No. 24-2020 Charles E. Bellig; and b) No. 26-2020 Deborah Ann Bakhtiari

Chief Deputy Assessor-Recorder David Schwenger presented the item to the Board.

On motion of Director Simon, and by vote of the Board, Approved Stipulation on the following Assessment Appeal Applications: a) No. 24-2020 Charles E. Bellig; and b) No. 26-2020 Deborah Ann Bakhtiari. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

- 8.4** Deny the following Assessment Appeal Applications on Timeliness, as no request for hearing received: 02-2020 Beatrice Bell and 11-2020 through 20-202 H&S Energy

On motion of Director Simon, and by vote of the Board, denied the following Assessment Appeal Applications on failure to appear. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Crandell, Scott, Pyska, and Sabatier

9. Closed Session

Chair Sabatier announced that the Board would now go into Closed Session at 11:24 a.m. for the reasons stated on the agenda.

The Board came out of closed session at 12:48 p.m. and announced that no action had been taken and adjourned for lunch.

The Board reconvened into closed session at 1:59 p.m. for the reasons stated on the agenda.

The Board came out of closed session at 4:45 p.m. and announced that no action had been taken and that due to the lateness of the hour, agenda items 9.3 and 9.4 would be continued to a future date.

The Board resumed into open session at 5:10 p.m. to take up Extra Item 4.1.

The Board reconvened into closed session at 5:40 p.m.

The Board came out of closed session at 6:18 p.m. having taken no action.

- 9.1** Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code section 54956.9(d)(1): Center for Biological Diversity et al. v. County of Lake, et al.

9.2 Public Employee Evaluation:

Title: Director: DPW/Water Resources/CDD (until 06/13/21)

9.3 Public Employee Evaluation:

Title: Director: County Administrative Officer

Continued to a future date.

9.4 Public Employee Evaluation:

Title: Director: Interim Health Services Director

Continued to a future date.

9.5 Conference with Negotiators regarding property tax exchange for the annexation of the South Main Area (136.78 acres south of the current Lakeport City limits); price and terms of payment (a) County Negotiators: Supervisor Scott, Supervisor Simon and C. Huchingson and (b) City of Lakeport**10. Adjournment**

There being no further business the Board of Supervisors adjourned at 6:18 p.m.

CAROL J. HUCHINGSON

Clerk of the Board

By: _____

Johanna DeLong

Assistant Clerk of the Board

Chair-Lake County Board of Supervisors