



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft BOARD OF SUPERVISORS

Tuesday, April 2, 2019

9:00 AM

Board Chambers

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Scott. 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: Supervisor Simon, Supervisor Sabatier, Supervisor Crandell, Supervisor Brown and Chair Scott

2. Moment of Silence

A moment of silence was observed in memory of Tamara Newby.

3. Pledge of Allegiance

Led by E.J. Crandell.

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

There were no extra items to consider.

5. Approval of the Consent Agenda

5.1 Appoint Administrative Analyst Marcy Harrison Interim Deputy Registrar of Voters, retroactive to March 6, 2019

A public member asked that this item be pulled for discussion. County Administrative Officer Carol Huchingson presented the item to the Board.

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

On motion of Supervisor Sabatier, and by vote of the Board, appointed Marcy Harrison as Interim Deputy Registrar of Voters, retroactive to March 6, 2019. The motion carried by the following vote:

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

5.2 Approve Amendment 1 to the Agreement between the County of Lake and Kings View Corporation for MIS Support Services for Fiscal Year 2018-19 in the amount of \$73,360 and authorize the Board Chair to sign the Amendment.

This item was pulled at the request of the department and continued to April 9, 2019.

- 5.3** Approve Amendment 2 to the Agreement between the County of Lake and Native American Mental Health Services dba North American Mental Health Services (NAMHS) for FY 2018-19 in the amount of \$300,000 and authorize the Board Chair to sign the Amendment.
- 5.4** Approve Amendment to Side Letter with the Lake County Deputy Sheriff's Association (LCDSA) to provide Deputy Sheriffs Assigned to Patrol the Opportunity to be placed on On-Call Status Due to a Typographical Error in the Body of the Document
- 5.5** Authorize County Librarian to Close All Library Branches for Staff Training on April 27, 2019
- 5.6** Approve purchase of office furniture for the Emergency Operations Center from Staples Business Advantage in the amount of \$26,081.84 and authorize the Sheriff/Coroner or his designee to sign the purchase order

Public member Brad Chapman requested this item be pulled for discussion. Undersheriff Chris Macedo presented the item to the Board.

Chair Scott 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 Sabatier, and by vote of the Board, approved the purchase of office furniture for the Emergency Operations Center from Staples Business Advantage in the amount of \$26,081.84 and authorized the Sheriff/Coroner or his designee to sign the purchase order. The motion carried by the following vote:

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

- 5.7** (a) Approve Agreement between the Lake County Sheriff's Department and U.S. Forest Service for FY 19/20 annual operating and financial plan, in the amount of \$11,000 for Pillsbury Patrol; and (b) Approve Agreement between the Lake County Sheriff's Department and U.S. Forest Service for FY19/20 annual operating and financial plan, in the amount of \$19,000 for Controlled Substance Operations, and authorize the Sheriff and the Chairman to sign
- 5.8** Approve Memorandum of Understanding (MOU) and Joint Exercise of Powers Agreement (JPA) Between the County of Lake and CalSAWS and authorize the Chair to sign all three copies of each agreement
- 5.9** Approve Waiver of the 900 hour limit for Extra Help Construction Inspectors for the Anderson Springs Sewer Project, allowing Mark Dellinger to work up to 960 hours and Ray Porter to work up to 1,000 hours

On motion of Supervisor Sabatier, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.9, with the exception of Items 5.1, 5.2 and 5.6. The motion carried by the following vote:

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

6. Timed Items

6.1 9:05 A.M. - Public Input

There was no public input.

- 6.2** 9:11 A.M. - (a) Consideration of Continuing a Proclamation of a Local Emergency due to an Atmospheric River Event 2019; and (b) Update on the Atmospheric River Event 2019

(a) Undersheriff Chris Macedo presented the item to the Board.

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

(b) No updated information provided.

(a) On motion of Supervisor Simon, and by vote of the Board, approved the continuation of a Proclamation of a Local Emergency due to an Atmospheric River Event 2019. The motion carried by the following vote:

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

- 6.3** 9:12 A.M. - Consideration of Continuing a Proclamation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires)

Undersheriff Chris Macedo presented the item to the Board.

Chair Scott 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 continuation of a Proclamation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires). The motion carried by the following vote:

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

- 6.4** 9:13 A.M. - Consideration of Continuing a Proclamation of a Local Emergency due to the Pawnee Fire Incident

Undersheriff Chris Macedo presented the item to the Board.

Chair Scott 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 Sabatier, and by vote of the Board, approved the continuation of a Proclamation of a Local Emergency due to the Pawnee Fire Incident. The motion carried by the following vote:

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

6.5 9:14 A.M. - Consideration of Continuing a Proclamation of a Local Emergency due to the Sulphur Fire Incident

Undersheriff Chris Macedo presented the item to the Board.

Chair Scott 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 Sabatier, and by vote of the Board, approved the continuation of a Proclamation of a Local Emergency due to the Sulphur Fire Incident. The motion carried by the following vote:

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

6.6 9:15 A.M. - Consideration of Continuing a Proclamation of a Local Emergency due to Clayton Fire

Undersheriff Chris Macedo presented the item to the Board.

Chair Scott 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 continuation of a Proclamation of a Local Emergency due to Clayton Fire. The motion carried by the following vote:

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

6.7 9:16 A.M. - Consideration of Continuing a Proclamation of a Local Emergency due to the Atmospheric River Storm 2017

Undersheriff Chris Macedo presented the item to the Board.

Chair Scott 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 continuation of a Proclamation of a Local Emergency due to the Atmospheric River Storm 2017. The motion carried by the following vote:

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

6.8 9:17 A.M. - Consideration of Continuing the Declaration of a Local Health Emergency and Order Prohibiting the Endangerment of the Community through the Unsafe Removal, Transportation, and Disposal of Fire Debris

Public Health Officer Erin Gustafson presented the item to the Board. Environmental Health Director Jasjit Kang was present and spoke. There are a total of 17 properties that still need debris clean up. Several properties will not be included in the clean up at this time and are still working with the State.

On motion of Supervisor Sabatier, and by vote of the Board, approved the continuation of the the Declaration of a Local Health Emergency and Order Prohibiting the Endangerment of the Community through the Unsafe Removal, Transportation, and Disposal of Fire Debris. The motion carried by the following vote:

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

6.9 1:30 P.M. - Workshop regarding Possible Revisions to the Lake County Zoning Ordinance for streamlining the Cannabis Cultivation Permitting Process and a Discussion Concerning the Addition of a Permitting Process for Retail and Microbusiness

Community Development Director Michalyn Del Valle presented the item to the Board. Principal Planner Byron Turner and Chief Building Official Mary Jane Montana were present and spoke. A PowerPoint presentation on the proposed changes to the Zoning Ordinance was given.

Chair Scott asked if anyone present wished to speak and the following people spoke: Mike Mitzel, Lance Williams, Robert Adelman, Mike Lundegan, Damian Ramirez and Bobby Dutcher. No one else wished to speak and the public input portion of this item was closed.

There was Board consensus to move forward with recommendations for revisions to the Lake County Zoning Ordinance to streamline the cannabis permitting process and bring back recommendations for clustering multiple projects on large parcels.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 Consideration of Resolution of Support in Support of a Landowner seeking to Name an Unnamed Geographical Feature located solely within the Landowner's Private Property

Supervisor Simon introduced the item to the Board. Landowner Gregory Van Oss was present and spoke.

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

Supervisor Simon offered the Resolution and it was passed by role call vote:

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

Enactment No: Resolution No. 2019-41

7.3 Consideration of the following appointments:

Lucerne Area Town Hall (LATH)

Maternal Child Adolescent Health Advisory Board (MCAH)

Middletown Area Town Hall (MATH)

Scotts Valley Community Advisory Council

Chair Scott presented the item to the Board.

Chair Scott 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, appointed Mahealani Urquiza and Kevin Waycik to the Lucerne Area Town Hall (LATH). The motion carried by the following vote:

Ayes: Supervisors Simon, Sabatier, Crandell, Brown and Scott

On motion of Supervisor Simon, and by vote of the Board, reappointed Kim Tangermann, Helaine Moore, Carla Ritz, Jordan O'Halloran, Daphne Colacion and Angela Knight to the Maternal Child Adolescent Health Advisory Board (MCAH). The motion carried by the following vote:

Ayes: Supervisors Simon, Sabatier, Crandell, Brown and Scott

On motion of Supervisor Simon, and by vote of the Board, appointed Sally Peterson, Marlene Elder, Paul Baker and Thomas Darms and reappointed Claude Brown to the Middletown Area Town Hall (MATH). The motion carried by the following vote:

Ayes: Supervisors Simon, Sabatier, Crandell, Brown and Scott

On motion of Supervisor Simon, and by vote of the Board, appointed Paula Mune to the Scotts Valley Community Advisory Council. The motion carried by the following vote:

Ayes: Supervisors Simon, Sabatier, Crandell, Brown and Scott

7.4 Discussion and Consideration of Industrial Hemp Cultivation Status in the County of Lake

Agriculture Commissioner Steve Hajik presented the item to the Board.

Chair Scott asked if anyone present wished to speak and the following people spoke: Larry Hanshue, Mike Mitzel, Lance Williams and Michael Wagner. No one else wished to speak and the public input portion of this item was closed.

There was Board consensus that there would not be a moratorium on hemp and to bring the item back to discuss zoning and regulations.

- 7.5** Discussion and Consideration of a Possible Limited Moratorium Relating to the Acceptance of Pre-applications and Applications for Commercial Cannabis Cultivation Use Permits to Allow for the Expedious Processing of Applications Already Submitted and to Allow for Review of Possible Changes to the Zoning Ordinance to more Efficiently Coordinate the Processing of Such Permits

County Counsel Anita Grant presented the item to the Board. Community Development Director Michalyn DelValle and Byron Turner were present and spoke. The title will be revised to the following: An Urgency Ordinance implementing a temporary growth management plan for commercial cannabis cultivation use permits.

Chair Scott asked if anyone present wished to speak and the following spoke: Cliff Ruzika, Lance Williams, Mike Mitzel and Michael Wagner. No one else wished to speak and the public input portion of this item was closed.

Supervisor Brown offered the Ordinance, as amended, and it was passed by role call vote:

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

- 7.6** Town Hall Presentation Community Visioning 2028 on Health and Wellness by Denise Pomeroy, Health Services Director

Health Services Director Denise Pomeroy presented the item to the Board. Public Health Officer Erin Gustafson, Health Program Coordinator Elise Jones and Hope Rising Executive Director Allison Panella were present. A PowerPoint presentation was given regarding the upcoming Community Visioning 2028 Town Hall meetings.

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

Presentation only.

8. Closed Session

Chair Scott announced that the Board would now go into Closed Session at 11:45 a.m. for the reasons stated on the agenda. Chair Scott announced at 12:25 p.m. that the meeting would go into recess for lunch.

The Board reconvened into Closed Session at 2:47 p.m. for the reasons stated on the agenda.

- 8.1** Public Employee Evaluations
Title: Water Resources Director

The Board reconvened into Regular Session at 2:59 p.m. having taken the following action:

- 8.2** Employee Disciplinary Appeal (EDA 19-01) Pursuant to Gov. Code sec. 54957

On motion of Supervisor Simon, and by vote of the Board, moved to grant appeal EDA 2019-01 and approve the Boards findings. The motion carried by the following vote:

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

8.3 Employee Disciplinary Appeal (EDA 19-02) Pursuant to Gov. Code sec. 54957

On motion of Supervisor Simon, and by vote of the Board, moved to grant appeal EDA 2019-02 and approve the Boards findings. The motion carried by the following vote:

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

8.4 Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9(d)(1): Rattavong v. County of Lake, et al.

On motion of Supervisor Simon, and by vote of the Board, approved a settlement in the matter of Rattavong v. County of Lake in the amount of \$70,642.66 plus estinguishment of the existing abatement lien. The motion carried by the following vote:

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

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 3:00 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Carolyn Purdy
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors