255 North Forbes Street
Lakeport, CA 95453

COUNTY OF LAKE

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, May 17, 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 Asst. 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

3. Pledge of Allegiance

Led by Tina Scott.

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

Animal Care and Control was not present.

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 Item 7.3 was pulled at the request of Chair Brown and will be moved to the next Board of Supervisors meeting on May 24, 2016.

7.1 Approve Minutes of the Board of Supervisors meetings held April 5, 2016 and April 19, 2016.

7.2 Adopt Proclamation Recognizing and Honoring the 2016 Graduating Class of Marymount California University, Lakeside Campus.

7.3 (a) Adopt Resolution Approving a Cooperative Agreement with the U.S. Department of Agriculture to Provide an Animal Damage Control Program for the County of Lake; and (b) Approve Work and Financial Plan Between the County of Lake and United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services (APHSI-WS) for FY 2016-17 in the Amount of $98,395 and Authorize the Chair to sign.

Item 7.3 was pulled at the request of Chair Brown and will be moved to the next Board of Supervisors meeting on May 24, 2016.

7.4 Approve the Second Amendment to the Agreement between the County of Lake and Karey Abbott for the Crisis Counseling Assistance and Training Program in the amount of $10,640 and authorize the Chair to sign.

7.5 Approve the Second Amendment to the Agreement between the County of Lake and Stacy Williams for the Crisis Counseling Assistance and Training Program in the amount of $10,640 and authorize the Chair to sign.

7.6 Approve Agreement between the County of Lake and Trilogy Integrated Resources, LLC. for the Implementation and Maintenance of the Network of Care website for Fiscal Year 2015-16 for a total contract amount not to exceed $58,240 and authorize the Chair to sign.

7.7 Approve the First Amendment to the Agreement between the County of Lake and Victor Treatment Centers, Inc. for Children's Specialty Mental Health Services for Fiscal Year 2015-16 for an increase of $30,000 and a contract maximum of $60,000 and authorize the Chair to sign.

7.8 Adopt Resolution Setting Rate of Pay for Election Officers for the June 7, 2016 Presidential Primary Election Pursuant to Section 12310 of the Elections Code.

Enactment No: 2016-71

7.9 Approve Out of State Travel to Omaha, Nebraska, June 20, 2016 through June 23, 2016 for Sherylin Taylor, PHN, Public Health Nursing Director, Public Health Division, to participate in the Robert Wood Johnson Foundation's Public Health Nurse Leaders Program.

7.10 Approve Agreement between County of Lake and RGH Consultants to Provide Geotechnical Construction Observation Services and Special Inspection and Testing Services for the Kelseyville Skate Park Project, amount not to exceed $13,040 and authorize Chair to sign.

7.11 Adopt Resolution Requesting the Lake Local Agency Formation Commission to Initiate Proceedings for the Amendment of the Sphere of Influence and Annexation of Parcel #620-131-01 to County Service Area #2, Spring Valley Lakes and Authorize the Chair to Sign.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.1 through 7.11, with the exception of 7.3, which was pulled at the request of Chair Brown.

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

Enactment No: 2016-72

8. Timed Items

8.1 9:05 A.M. - Public Input

8.2 9:10 A.M. - Presentation of Proclamation Recognizing and Honoring the 2016 Graduating Class of Marymount California University, Lakeside Campus.

Supervisor Steele read the proclamation into the record and presented it to the Marymount California University Lakeside Administrator Michelle Scully. Michelle Scully spoke.

8.3 9:15 A.M. - Consideration of Renewal for Proclamation of Local Health Emergency

Environmental Health Director Ray Ruminski presented the item to the Board recommending the continuation of the Local Health Emergency.

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, continued the 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

8.4 9:20 A.M. - (Continued from May 10, 2016) - Consideration of Agreement between the County of Lake and Mendocino Private Industry Council for support of services provided to Lake County residents.

Program Manager Christie Gard from Mendocino Private Industry Council (MPIC) presented the item to the Board. Employment in Training Specialist Brandy Swanson was also in attendance and spoke.

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

No action was taken on this item.

8.5 9:30 A.M. PUBLIC HEARING - Consideration of the Draft Housing Element Update of the Lake County General Plan (GPAP 16-05), which includes and assessment of housing needs, before the Valley Fire, and an inventory of resources and constraints relevant to meeting those needs.

Interim Community Development Department Director Scott DeLeon introduced the item to the Board. Principal Planner Audrey Knight gave a Power Point presentation of the item.

Chair Brown asked if anyone present wished to speak and Joan Moss 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 the Draft Housing Element Update of the Lake County General Plan (GPAP 16-05), which includes an assessment of housing needs, before the Valley Fire, and an inventory of resources and constraints relevant to meeting those needs. The motion carried by the following vote:

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

8.6 9:40 A.M. PUBLIC HEARING - Consideration of the incorporation of the County Natural Hazards Mitigation Plan and the Community Wildfire Protection Plan, in the Health and Safety Element of the County of Lake General Plan.

Community Development Principal Planner Audrey Knight gave a presentation to the Board. Interim Community Development Director Scott DeLeon was also present.

Chair Brown asked if anyone present wished to speak and the following people spoke: Phil Murphy, Joan Moss and Larry Anderson. No one else 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: 2016-74

8.7 10:00 A.M. - HEARING - Consideration of Notice of Nuisance and Order to Abate for property located at 4012 Jeannie Lane, Kelseyville (APN 088-011-03 -Dorothy Braden)

Code Enforcement Officer Mike Penhall presented the item to the Board.

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

Chair Brown passed the gavel to Supervisor Farrington. On motion of Chair Brown, and by vote of the Board, approved Notice of Nuisance and Order to Abate for property located at 4012 Jeannie Lane, Kelseyville (APN 088-011-03 -Dorothy Braden). The motion carried by the following vote:

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

Abstain- Supervisors: 1 - Farrington

8.8 10:10 A.M. - (a) Presentation/Consideration of the Joint Powers Agency Agreement Between the Counties of Napa, Marin and Lake Counties (Workforce Innovation and Opportunity Act/Workforce Alliance of the North Bay Workforce Development Area), (b) Approve the Memorandum of Understanding Between the Counties of Napa, Marin and Lake, and (c) Appoint two Lake County Supervisors to the JPA Governing Board.

County Administrative Officer Carol Huchingson introduced the item to the Board. Executive Director of the Napa-Lake Workforce Development Board Bruce Wilson gave a presentation.

Chair Brown asked if anyone present wished to speak and Joan Moss spoke. No one else 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 Joint Powers Agency Agreement between the Counties of Napa, Marin and Lake Counties (Workforce Innovation and Opportunity Act/Workforce Alliance of the North Bay Workforce Development Area) . The motion carried by the following vote:

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

(b) On motion of Supervisor Farrington, and by vote of the Board, approve the Memorandum of Understanding Between the Counties of Napa, Marin and Lake. The motion carried by the following vote:

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

(c) On motion of Supervisor Smith, and by vote of the Board, appointed Supervisors Farrington and Steele to the JPA Governing Board. The motion carried by the following vote:

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

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Consideration of continuing the Proclamation of a Declaration of a Local Emergency due to wildfire conditions.

Sheriff Brian Martin presented the item to the Board recommending the continuation of the Proclamation for the Declaration of a Local Emergency due to wildfire conditions.

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 the Proclamation for the Declaration of a Local Emergency due to wildfire conditions.. The motion carried by the following vote:

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

9.3 Discussion/Consideration to enforce the collection of transient occupancy taxes (TOT) on vacation rental homes in Lake County.

Supervisor Farrington presented the item to the Board with the suggestion of forming a committee regarding the collection of TOT tax. County Administrative Officer Carol Huchingson and Tax Collector-Treasurer Barbara Ringen spoke.

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

There was Board consensus to form a commitee and enforce the collection of the Lake County TOT tax.

9.4 Consideration of Negotiating Committee's Recommendation Regarding the County's Share of Proceeds from the Sale of the Former Pearce Airport Property

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

Chair Brown asked if anyone present wished to speak and Phil Murphy spoke. It was noted that there was a typographical error in the memorandum stating that there would be sales tax revenue from the sale. The corrected memo states there would be property tax revenue from the sale. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Smith, and by vote of the Board, approved the recommendation regarding the County's share of proceeds from the sale of the Former Pearce Airport Property. The motion carried by the following vote:

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

9.5 (Second Reading) - Consideration of a Proposed Ordinance Amending Article X of Chapter Two of the Lake County Code to Revise Local Procurement Procedures to State and Federal Standards.

Chair Brown 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 (4 ayes), waived the reading of the ordinance, to be read in title only (Clerk did so).

Supervisor Comstock offered Ordinance No. 3043, and it was passed by roll call vote (4 ayes).

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

Nayes- Supervisors: 1 - Farrington

Enactment No: 3043

9.6 Consideration of the Following Appointments:
Emergency Medical Care Committee (EMCC)
Maternal, Child and Adolescent Health (MCAH) Advisory Board

Chair Brown presented the item to the Board. The applicants for the Emergency Medical Care Committee were both from out of County, so the applications will be sent back to Public Health for review.

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 Steele, and by vote of the Board, appointed Jaleen White to the Maternal, Child and Adolescent Health Advisory Board. The motion carried by the following vote:

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

9.7 (Continued from May 3, 2016) - Consideration of request to defer enforcement of Lake County Zoning Ordinance 59.9 - Major destruction of a non-conforming building or structure or use for Valley Fire reconstruction projects under specified conditions.

Interim Community Development Director Scott DeLeon introduced the item to the Board and gave a presentation.

Chair Brown asked is 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 to defer enforcement of Lake County Zoning Ordinance 59.9 - Major destruction of a non-conforming building or structure or use for Valley Fire reconstruction projects under specified conditions. The motion carried by the following vote:

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

9.8 Consideration of Resolution Approving the 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 2016 through 2017.

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

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

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

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

9.9 Consideration of a Resolution Authorizing the Lake County Watershed Protection District to File a Grant Application With California State Parks Division of Boating and Waterways Quagga and Zebra Mussel Infestation Prevention FY 2015/16 Grant Titled Clear Lake Mussel Prevention Improvement Project, Signature Authorization to Execute Agreement for a California State Parks Division of Boating and Waterways Quagga and Zebra Mussel Infestation Prevention FY 2015/2016 and authorize Chair to sign the Resolution.

Water Resources Director Scott DeLeon presented the item to the Board. The funding amount on the resolution should be modified to the following: paragraph 2 = $140,700; paragraph 4 = $150,775.81.

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

Supervisor Steele offered the Resolution as amended and it was passed by roll call vote:

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

9.10 Consideration of Agreement for Engineering Services between the County of Lake and Peterson Brustad Inc. for a Feasibility Study for the Middle Creek Flood Control Project.

Water Resources Director Scott DeLeon 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 Steele, and by vote of the Board, approved the Agreement for Engineering Services between the County of Lake and Peterson Brustad Inc. for a Feasibility Study for the Middle Creek Flood Control Project. 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 Conference with Legal Counsel: Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9(d)(2)(e)3: Claim of Lake County Correctional Officers Association.

10.3 Public Employee Appointment pursuant to Gov. Code Section 54957(b)(1): Appointment of Community Development Director.

The Board reconvened into Regular Session at 12:14 p.m. having taken no action.

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 12:14 p.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