COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, February 16, 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 Matt Perry, County Counsel Anita Grant and Asst. Clerk of the Board Alicia Flores were present along with the following Supervisors:

Present- 4: Supervisors Comstock, Smith, Steele and Brown
Absent- 1: Supervisor Farrington

2. Moment of Silence

3. Pledge of Allegiance

Led by Lake County Fire Chief Willie Sapeta.

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

Animal Care & Control was not present.

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

There were no Extra Items to consider.

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders presented.

7. Approval of the Consent Agenda

Consent Agenda Items 7.1 and 7.3 were pulled and taken up immediately following approval of the Consent Agenda.

7.1 Approve Advertising Memo Bill between the County of Lake and Sonoma Media Investment, Inc. for Print and Online Publications, for Lake County Destination Marketing, a Contract Maximum of $60,775, and Authorize the County Administrative Officer to Sign.

This item was pulled by Chair Brown. Deputy County Administrative Officer Jill Ruzicka presented the item to the Board.

Chair Brown asked if anyone present wished to speak and the following people spoke: Joan Moss and Melissa Fulton.

There was Board consensus to have Sonoma Media Investment representatives return next week and provide a presentation to the Board.

7.2 (Sitting as the Lake County Air Quality Management District Board of Directors) - Approve Bid #16-01 to Consolidated Analytical Systems, Inc. in the Amount of $56,149.77 for Purchase, Delivery, and Installation of One (1) Air Monitoring Shelter at the LCAQMD Office 2617 South Main Street, Lakeport, CA and Authorize the Air Pollution Control Officer to Issue the Notice of Award and Execute the Purchase Documents not to Exceed $59,866.00.

7.3 Approve Minutes of the Board of Supervisors Meetings Held February 2, 2016, January 19, 2016 and December 1, 2015.

The minutes of the Board of Supervisors meeting held February 2, 2016 were not ready for approval.

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 Smith, and by vote of the Board, approved the minutes of the Board of Supervisors meetings held January 19, 2016 and December 1, 2105. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

7.4 Approve Resolution No. ULUSD 01-1516 of Upper Lake Unified School District Adopting a Conflict of Interest Code.

7.5 Approve Resolution No. 2015-2 of Kelseyville Cemetery District Establishing Updates to the Conflict of Interest Code and authorize the Chair to Sign.

7.6 Adopt Resolution Approving the 2015-16 Annual Update to the Mental Health Services Act Three-Year Program and Expenditure Plan for Fiscal Year 2014-15 through Fiscal Year 2016-17.

Enactment No: Resolution No. 2016-24

7.7 Adopt Resolution Approving Second Amendment to the Standard Agreement between the County of Lake and the Department of Health Care Services for the period between July 2, 2014 through June 30, 2017, an increase of $84,901 and Authorize the Behavioral Health Director to sign.

Enactment No: Resolution No. 2016-25

7.8 Approve Agreement between County of Lake and Milhous Children's Services, for FY 2015-16 Specialty Mental Health Services, in the amount of $25,000 and authorize the Chair to sign.

7.9 Adopt Resolution Approving Right of Way Certification for Mathews Road/Manning Creek - Bridge Replacement Project - State Agreement No. BRLO-5914 (072).

Enactment No: Resolution No. 2016-26

7.10 Approve Agreement between the County of Lake and the Department of Boating and Waterways, for Financial Aid Program in the Amount of $315,312, and Authorize the Sheriff to sign.

7.11 Approve Out of State Travel to Denver, Colorado for Marijuana Impact on Public Health and Safety Training, March 15-18, 2016 for two Sheriff Staff Members.

7.12 Approve Agreement between the County of Lake and Redwood Toxicology Laboratory, Inc., for Drug and Alcohol Testing Services, in the Amount of $25,000 and Authorize the Chair to Sign.

7.13 Adopt Resolution Amending the Resolution Establishing a Geothermal Impact Mitigation Fund for the Communities of Anderson Springs and Cobb Valley in Lake County.

Enactment No: Resolution No. 2016-27

7.14 Approve First Amendment to Agreement between the County of Lake and Pace Engineering, for Engineering Services for CSA 21- North Lakeport Water Treatment Plant Upgrades, in the Amount of $33,000 and Authorize the Chair to sign.

7.15 Adopt Resolution Approving Agreement No.15-0262 with the State of California, Department of Food & Agriculture and Authorizing Execution of the Contract and Signature for FY15-16 Insect Trapping Activities (to receive $21,820 from the State).

Enactment No: Resolution No. 2016-28

7.16 Adopt Proclamation Designating the month of February 2016 as Grand Jury Awareness Month.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.2 and 7.4 through 7.16. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

8. Timed Items

8.1 9:05 A.M. - Public Input

Larry Anderson spoke.

8.2 9:10 A.M. - Presentation of Proclamation Designating the month of February 2016 as Grand Jury Awareness Month.

Supervisor Steele read the proclamation into the record and presented it to Grand Jury Foreman James Baur. There were many Grand Jury members present.

8.3 9:11 A.M. - Acceptance of $3,000 Donation from the Lake Area Rotary Club Association (LARCA)

Sheriff Brian Martin introduced Russ Cramer who presented Lake County OES with a $3,000 donation for the purchase of software to provide access to the Integrated Public Alert Warning System, or IPAWS.

8.4 9:12 A.M. - Acceptance of $10,000 Donation from State Farm Mutual Automobile Insurance Company for the Purchase of NOAA Weather Radio's.

Sheriff Brian Martin introduced Nanette Dutcher, AAA Representative, who presented Lake County OES with a donation of $10,000 for the purchase of NOAA weather radios.

8.5 9:15 A.M. - Consideration of Continuing the 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.

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: 4 - Steele, Smith, Brown and Comstock

Absent- Supervisors: 1 - Farrington

8.6 9:30 A.M. - PUBLIC HEARING - (Continued from December 15, 2015) - Consideration of request for General Plan Amendment (GPA 15-01) of one parcel from Low Density Residential to High Density Residential and a Rezone (RZ 15-02) from "PDR-SC" Planned Development Residential-Scenic Combining to "R3" Multi-family Residential; project applicant is Mark Tanti; located at 500 Whalen Way, Lakeport (APN 029-371-01)

Principal Planner Audrey Knight presented the item to the Board.

Chair Brown opened the public hearing and the following people spoke: James Andrews (on behalf of Mark Tanti), Victoria Brandon, Roberta Lyons and Jillian Perleau. No one else wished to speak and the public hearing was closed.

On motion of Supervisor Smith, and by vote of the Board, adopted a negative declaration with the findings set forth in the November 26, 2015 memorandum. The motion carried by the following vote:

Ayes: Supervisor Comstock, Smith, Brown
No: Supervisor Steele
Absent: Supervisor Farrington

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

Ayes: Supervisor Comstock, Smith, Brown
No: Supervisor Steele
Absent: Supervisor Farrington

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

Supervisor Smith offered the Ordinance and it was called by roll call vote:

Ayes: Supervisor Comstock, Smith, Brown
No: Supervisor Steele
Absent: Supervisor Farrington

Enactment No: Resolution No. 2016-29/ Ordinance No. 3036

8.7 10:00 A.M. - (a) Written Report and Presentation by Lake County Chamber of Commerce; and (b) Consideration of Proposed Agreement with the Lake County Chamber of Commerce to Provide Visitor Information Services and to Promote and Support the Growth and Vitality of Local Businesses, in the Amount of $75,000 and Authorize the Chair to sign.

Lake County Chamber of Commerce CEO Melissa Fulton gave a presented to the Board.
Deputy County Administrative Officer Jill Ruzicka provided the staff report.

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 Smith, and by vote of the Board, approved the Agreement between the County of Lake and the Lake County Chamber of Commerce, in the amount of $75,000 and authorized the Chair to sign. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Recovery Update from Staff, Assisting Agencies and/or Community Groups, Consequent to 2015 Wildland Fires

Disaster Recovery Coordinator Carol Huchingson reported on the success of the February 2nd Summit, as well as provided an update on the mobile laundry.
There will be a yard sale Saturday, February 20th at the WorkRight building with profits going to fire survivors. FEMA will have 15 Manufactured Home units available within two weeks. Ms.Huchingson also announced the TeleSurvey would resume today and the public is encouraged to participate either online at lakecountyrecovers.com or by phone. The next Task Force meeting will be held March 1st and once a month thereafter with updates at the Board of Supervisors meetings twice a month.

9.3 Consideration of Letter of Support for AB 1559 (Dodd) to Extend the Period for Individuals and Businesses to Defer Payment to Board of Equalization from One Month to Three Months.

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

On motion of Supervisor Smith, and by vote of the Board, approved the letter. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

9.4 (a) Consideration of Waiving Consultant Selection Process; and (b) Consideration of Agreement with Community Development Services to Provide General Economic Development Services

County Administrative Officer Matt Perry 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, waived the Consultant Selection Process. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele and Brown
Absent: Supervisor Farrington

On motion of Supervisor Comstock, and by vote of the Board, approved the Agreement with Community Development Services in the amount of $40,000 and authorized the Chair to sign. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele and Brown
Absent: Supervisor Farrington

9.5 (a) Presentation of Mid-Year Budget Review; (b) Consideration of Resolution Amending Resolution No. 2015-119 to Amend the FY 2015-16 Adopted Budget by Adjusting Reserves, Fund Balance Carry Over, Revenues, and Appropriations and Cancelling General Reserves; (c) Consideration of Resolution Establishing New Classifications and Amending Resolution No. 2015-120 to Amend the Position Allocation for FY 2015-16 for Selected Budget Units to Conform to the Mid-Year Budget Adjustments and d) Consideration of Combining the Department of Public Services and Department of Public Works and Separation of the Department of Water Resources and Department of Public Works.

County Administrative Officer Matt Perry presented the item to the Board. There was discussion of position allocations in various departments, including allocations for possible separation of Water Resources and Public Works Departments. There was a revision to the mid-year budget resolution attachment and the Board was provided hardcopies. Funds will be transferred to an Economic Stabilization Reserve in order to cover property tax losses.

Interim Chief Deputy County Adminustrative Officer Jeff Rein and Deputy County Administrative Officer Josh Jones presented to the Board an overview of their assigned budget units. Interim Public Services Director, Kim Clymire and Special Districts Administrator Mark Dellinger also spoke.

There was ample discussion surrounding the options of combining and/or seperating Public Works, Water Resources and Public Services. Staff would like to take time to evaluate fiscal impacts of all options. There was also discussion to move forward with Lars Ewing as Interim Public Services Director and keep the departments separate for now.

(b) Supervisor Steele Steele offered the Resolution and it was passed by roll call vote:
Ayes: Supervisors Comstock, Smith, Steele and Brown
Absent: Supervisor Farrington

(c) Supervisor Comstock offered the Resolution and it was passed by roll call vote:
Ayes: Supervisors Comstock, Smith, Steele and Brown
Absent: Supervisor Farrington

(d) There was Board consensus to continue this item to March 1st and staff was directed to have fiscal impacts of all options available at that time.

Enactment No: Reso.No. 2016 31/ Reso. No. 2016-31

9.6 Consideration of the following appointments:
Fish and Wildlife Advisory Committee

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, appointed the following people to the Fish and Wildlife Advisory Committee: Randall Williams - incumbent, Fish and Wildlife Conservation, Greg Giusti - incumbent, Education, Bobby Dutcher - incumbent, Agriculture, Terry Knight - incumbent, Recreation, Roland LeDoux - incumbent - District 1 Representative, Richard Hinchcliff - incumbent, District 4 Representative. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

9.7 (Continued from February 2, 2016, January 19, 2016 and December 1, 2015) - Consideration of (a) Pole Attachment Agreement between the County of Lake and Pacific Bell Telephone Company; (b) Amendment to Tower and Ground Space License Agreement between U.S. Cellular Corporation, New Cingular Wireless PCS, LLC, and the County of Lake; and (c) Agreement with Streamline Engineering for Project Testing and Inspection Services in an amount not to exceed $10,000.

This item was carried over to February 23, 2016 at the request of staff.

9.8 Consideration of Reduction of Office Hours at the Sheriff's Office

Sheriff Brian Martin presented the item to the Board.

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

On motion of Supervisor Comstock, and by vote of the Board, approved a temporary reduction in public hours on Monday's (Closed 8am - 1pm), to be revisited April 19, 2016 @ 9:30 a.m. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

9.9 Consideration of Letter of Support for the New Lakeport Courthouse Project

County Administrative Officer Matt Perry presented the item to the Board.

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

On motion of Supervisor Comstock, and by vote of the Board, approved the letter. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

9.10 Discussion and Consideration of Proposed Clear Lake Water Quality Projects to submit to Assemblyman Dodd and Senator McGuire for Special Funding.

Water Resources Director, Scott De Leon presented the item to the Board.

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

On motion of Supervisor Steele, and by vote of the Board, directed staff to work collaboratively to develop a comprehensive list of projects, including estimated costs, to present to Assemblymember Dodd and Senator McGuire. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

9.11 Consideration of Letter of Support for Senate Bill 937 (McGuire) Disaster Relief: County of Lake: 2015 Wildfires

County Administrative Officer Matt Perry presented this item to the Board.

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

On motion of Supervisor Comstock, and by vote of the Board, approved the letter. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

10. Closed Session

At 1:00 p.m Chair Brown announced the Board would go into Closed Session.
The Board reconvened into Regular Session at 1:30 p.m. having taken no action.

At 3:30 p.m. Chair Brown announced the Board would now go into Closed Session.

10.1 Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, M. Perry, K. Ferguson and S. Jansen; 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, subd. (d)(1): Bond v. Lake County, et al.

10.3 Public Employee Evaluations
Title: Agricultural Commissioner
Title: Public Works Director

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

The Board reconvened into Regular Session at 4:06 p.m. having taken the following action:

On motion of Supervisor Smith, and by vote of the Board, appointed Kevin Thompson as Interim Behavioral Health Director effective today. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 4:07 p.m.

MATT PERRY
Clerk of the Board

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

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Chair - Lake County Board of Supervisors