



# COUNTY OF LAKE

255 North Forbes Street  
Lakeport, CA 95453

## Meeting Minutes - Draft BOARD OF SUPERVISORS

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Tuesday, November 22, 2016

9:00 AM

Board Chambers

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### 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 Assistant 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

*A moment of silence was dedicated to Dr. Jonathan Davies.*

### 3. Pledge of Allegiance

*Led by Bob Massarelli.*

### 4. Presentation of Animals Available for Adoption 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 extra items to consider.*

### 6. Current Construction Projects - Contract Change Orders

*There were no Contract Change Orders.*

### 7. Approval of the Consent Agenda

*Supervisor Farrington asked that item 7.6 be pulled from the Consent Agenda to be taken up immediately after.*

- 7.1** (a) Waive the formal bidding process, Per Ordinance #2406, Purchasing Code 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 Victor Treatment Centers, Inc. for Specialty Mental Health Services for Fiscal Year 2016-17 in the amount of \$100,000 and authorize the Board Chair to sign the Amendment.

- 7.2** Approve Minutes from the Board of Supervisors meeting held on October 4, 2016.

- 7.3** Adopt Resolution Amending Resolution No. 2016-145 Establishing New Classifications and Position Allocations for Fiscal Year 2016-17 to Conform to the Adopted Budget for Budget Unit 7011, Parks and Recreation

Enactment No: Reso. No. 2016-176

- 7.4** Approve Memorandum of Understanding Between Special Districts and Cobb Area Water District for Water System Consolidation Feasibility Study; and Authorize Chair to Sign

- 7.5** (Sitting as the Board of Directors, Lake County Watershed Protection District) Adopt Resolution Authorizing the Water Resources Director to Sign a Notice of Completion for Work Performed Under Agreement Dated August 31, 2016 for 2016 Sediment Removal Project, Upper Lake, CA Bid no. WR 16-02

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda items 7.1 through 7.5. The motion carried by the following vote:

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

Enactment No: Reso. No. 2016-177

- 7.6** (Sitting as the Board of Directors, Lake County Watershed Protection District) (a) Waive the Consultant Selection Policy as it is in the County's best interest as CDM-Smith is uniquely qualified to perform the work; (b) Approve Contract for the Production of an Alternative Groundwater Sustainability Plan to Comply with the Sustainable Groundwater Management Act in the amount of \$25,000; and authorize the Water Resources Director to sign.

*Water Resources Director Scott DeLeon presented the item to the Board.*

*Chair Brown asked if anyone present wished to speak and the following people spoke: Sara Ryan, Betsy Cawn and Joan Moss. No one else wished to speak and the public input portion of this item was closed.*

On motion of Director Farrington, and by vote of the Board, waived the Consultant Selection Policy as it is in the County's best interest as CDM-Smith is uniquely qualified to perform the work. The motion carried by the following vote:

**Ayes: Directors Comstock, Smith, Steele, Farrington and Brown**

On motion of Director Farrington, and by vote of the Board, approved the Contract for the Production of an Alternative Groundwater Sustainability Plan to Comply with the Sustainable Groundwater Management Act in the amount of \$25,000; and authorized the Water Resources Director to sign. The motion carried by the following vote:

**Ayes: Directors Comstock, Smith, Steele, Farrington and Brown**

## **8. Timed Items**

**8.1 9:05 A.M. - Public Input**

*Mike Raffanelli spoke. Community Development Director Bob Massarrelli introduced new Principal Planner Byron Turner.*

**8.2 9:15 A.M. - Consideration of Continuation of a Proclamation of a Local Health Emergency by the Lake County Health Officer**

*Public Health Director Denise Pomeroy presented the item to the Board. Environmental Health Director Ray Ruminski was also present and spoke. Mr. Ruminski estimated that about 145 properties that burned in the Clayton fire have been registered with CalRecycle. 118 lots had been cleared with the rest scheduled for cleanup. Approximately 101 of the 118 cleared lots have had soil sampling completed. Of those, 62 have passed, with the others needing additional work done so soil can be retested. Tuesday was the last work day for the cleanup crews before the holiday break. When work resumes next week, the work teams will be scaled back. 43 properties are registered in the private cleanup, with 23 completed. 15 properties not scheduled or cleaned up are being considered for abatement action.*

*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 a Proclamation of a Local Health Emergency by the Lake County Health Officer. The motion carried by the following vote:**

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

**8.3 9:16 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to Wildfire Conditions, pertaining to the Rocky, Jerusalem and Valley Fires**

*Office of Emergency Services Manager Dale Carnathan 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, approved the continuation of a Proclamation of a Declaration of a Local Emergency due to Wildfire Conditions, pertaining to the Rocky, Jerusalem and Valley Fires. The motion carried by the following vote:**

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

**8.4 9:17 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to Clayton Fire**

*Office of Emergency Services Manager Dale Carnathan 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, approved the continuation of a Proclamation of a Declaration of a Local Emergency due to Clayton Fire. The motion carried by the following vote:**

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

- 8.5** 9:30 A.M. - PUBLIC HEARING - Consideration of Appeal (AB 16-05) of the Planning Commission's approval of a mitigated negative declaration based on Initial Study (IS 15-35) and Major Use Permit (UP 15-16) to allow a large animal kennel on property located at 11767 Candy Lane, Lower Lake (APN 122-032-24); project applicant is Blythe Lucero

*Community Development Assistant Planner Keith Gronendyke presented the item to the Board and asked for a continuance to December 6, 2016, as there was a question regarding the mailing that went to the surrounding neighbors of the property listed in the appeal.*

*Chair Brown opened the public hearing and continued the item, per staff recommendation, to December 6, 2016 at 10:15 a.m.*

**On the motion of Supervisor Smith, and by vote of the Board, approved to continue the Public Hearing to December 6, 2016 at 10:15 a.m. 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 Letter of Board Support of Lower Lake Cemetery District's Request for Assistance from Assemblyperson Bill Dodd's Office

*Supervisor Steele 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 Letter of Board Support of Lower Lake Cemetery District's Request for Assistance from Assemblyperson Bill Dodd's Office. The motion carried by the following vote:**

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

- 9.3** Consideration of (a) Waiving the formal bidding process, per Ordinance #2406, Purchasing Code 38.2, as it is not in the public interest due to the unique nature of goods or services; and (b) Approving the Agreement between the County of Lake and Lake County Office of Education for School-Based Medi-Cal Specialty Mental Health Services for Fiscal Year 2016-17 for a contract maximum of \$690,000 and authorize the Chair to sign the Agreement.

*Interim Behavioral Health Director Kevin Thompson 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 formal bidding process, per Ordinance #2406, Purchasing Code 38.2, as it is not in the public interest due to the unique nature of goods or services. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

**On motion of Supervisor Comstock, and by vote of the Board, approved the Agreement between the County of Lake and Lake County Office of Education for School-Based Medi-Cal Specialty Mental Health Services for Fiscal Year 2016-17 for a contract maximum of \$690,000 and authorized the Chair to sign the Agreement. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

- 9.4** Consideration of (a) Waiving the formal bidding process, per Ordinance #2406, Purchasing Code 38.2, as it is not in the public interest due to the unique nature of goods or services; and (b) Approving the Agreement between the County of Lake and Lake County Office of Education - Safe Schools Healthy Students Program for School-Based Specialty Mental Health Services for Fiscal Year 2016-17 for a contract maximum of \$250,000 and authorize the Chair to sign the Agreement.

*Interim Behavioral Health Director Kevin Thompson 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 formal bidding process, per Ordinance #2406, Purchasing Code 38.2, as it is not in the public interest due to the unique nature of goods or services. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

**On motion of Supervisor Comstock, and by vote of the Board, approved the Agreement between the County of Lake and Lake County Office of Education - Safe Schools Healthy Students Program for School-Based Specialty Mental Health Services for Fiscal Year 2016-17 for a contract maximum of \$250,000 and authorized the Chair to sign the Agreement. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

**9.5 Consideration of Adopting Resolution Pertaining to Rebuilding of Anderson Springs**

*Community Development Director Bob Massarelli presented the item to the Board. Mr. Massarelli gave a PowerPoint presentation of the Anderson Springs area and rebuilding policy.*

*Chair Brown asked if anyone present wished to speak and the following people spoke: Joan Clay and Voris Brumfield. No one else 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 in concept a Resolution Pertaining to Rebuilding of Anderson Springs. The resolution will be brought back before the Board as amended on December 6, 2016. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

**9.6 Consideration of an Ordinance Amending Chapter 5 of the Lake County Code and Adopting by Reference the 2016 California Building Standards Code, known as the California Code of Regulations, Title 24, Parts 1 through 6, 8 through 12, Incorporating the 2016 Edition of the California Building Code; the 2016 Edition of the California Residential Code; the 2016 Edition of the California Electrical Code; the 2016 Edition of the California Plumbing Code; the 2016 Edition of the California Mechanical Code; the 2016 Edition of the California Green Building Code; the 2016 Edition of the California Energy Code; the 2016 Edition of the California Fire Code; the 2016 Edition of the California Administrative Code; the 2016 Edition of the California Historical Building Code; the 2016 Edition of the California Existing Building Code; the 2015 Edition of the International Property Maintenance Code; and the 2015 Edition of the International Wildland-Urban Interface Code.**

*Community Development Director Bob Massarelli 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 reading of the ordinance, to be read in title only (Clerk did so). The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

**On motion of Supervisor Constock, and by vote of the Board, advanced the ordinance one week to December 6, 2016. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

- 9.7** Consideration of Approval of Agreement Between the County of Lake and California Association of Environmental Health Administrators (CAEHA) in the Amount of \$60,700 for Professional Debris Cleanup Services Due to the Clayton Fire and Request Permission from the Board to Waive the Normal Competitive Bidding Process

*Public Health Director Denise Pomeroy presented the item to the Board. Environmental Health Director Ray Ruminski was also present 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.*

**On motion of Supervisor Comstock, and by vote of the Board, approved the Agreement Between the County of Lake and California Association of Environmental Health Administrators (CAEHA) in the Amount of \$60,700 for Professional Debris Cleanup Services Due to the Clayton Fire and waived the Normal Competitive Bidding Process. The motion carried by the following vote:**

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

- 9.8** Consideration of Property Donation to the City of Clearlake for the Phillips and 18th Avenue Pedestrian Improvement Project

*Public Works 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 Smith, and by vote of the Board, approved the Property Donation to the City of Clearlake for the Phillips and 18th Avenue Pedestrian Improvement Project. The motion carried by the following vote:**

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

## **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: Existing litigation pursuant to Gov. Code sec. 54956.9(d)(1): Lakeside Heights HOA, et al. v. County of Lake, et al.

- 10.3** Employee Disciplinary Appeal (EDA-16-04), Pursuant to Gov. Code Sec. 54957

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

*The Board reconvened into Regular Session at 11:25 a.m. having taken the following action:*

**On motion of Supervisor Smith, and by vote of the Board, appointed Todd Metcalf as the Interim Behavioral Health Director. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

**11. Adjournment**

*There being no further business, the Board of Supervisors adjourned at 11:45 a.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**