COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, August 23, 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 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 observed.

3. Pledge of Allegiance

Led by Jeff Smith

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)

5.1 - Conference with Legal Counsel - Significant exposure to litigation pursuant to Government Code section 54956.9 (d)(2), (e)(2).

Chair Brown announced that the Board had received an Extra Item regarding a Closed Session matter.

On motion of Supervisor Comstock, and by vote of the Board, approved the Extra Item for Closed Session. The motion carried by the following vote:

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

The Board went into closed session at 10:15 a.m. for the Extra Item. The Board reconvened into Regular Session at 10:20 a.m. having taken no action.

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders.

7. Approval of the Consent Agenda

7.1 Adopt the Resolution to approve the Fourth Amendment to the Standard Agreement between the County of Lake and the Department of Health Care Services for the period of July 1, 2014 through June 30, 2017 for a decrease of $13,580 and a new contract maximum of $2,073,173; and authorize the Interim Behavioral Health Director to sign the Amendment

Enactment No: 2016-133

7.2 Approve Long Distance Travel for Child Support Deputy Director Tammie Widener and Child Support Officers Diana Morey and Utanna Owen to attend the Western Interstate Child Support Enforcement Council (WICSEC) Annual Training Conference Oct. 2-6, 2016 in Salt Lake City, UT.

7.3 Approve Minutes from the Board of Supervisors meeting held on August 2, 2016.

7.4 Approve the District Attorney's Equitable Sharing Agreement and Certification for the Fiscal Year July 1, 2015 to June 30, 2016 and authorize Doris Lankford to electronically submit the report.

7.5 Approve Long Distance Travel to Chicago, Illinois for Jessica Hamner, Program Coordinator, Public Health Division to attend The Robert Wood Johnson Foundation Session 3 of their Public Health Nurse Leaders program.

7.6 Adopt Resolution Approving a Request from Lake County Health Services Department to Submit an Application for Funding to Support Public Health Accreditation through the National Association of County and City Health Officials (NACCHO) and Authorizing the County Administrative Officer to Sign Said Application

Enactment No: 2016-134

7.7 Adopt Proclamation Honoring the Family of the Late Robert and Margaret Sylar.

7.8 Adopt Resolution Temporarily Prohibiting Parking and Authorizing Removal of Vehicles on Various Roads in Kelseyville for the Annual Pear Festival on September 23, 2016 through September 24, 2016

Enactment No: 2016-135

7.9 Approve the 2016 Emergency Management Performance Grant (EMPG) Governing Body Resolution and Standard Grant Assurances and authorize Carol J. Huchingson, County Administrative Officer to sign these documents

Enactment No: 2016-138

7.10 Approve Addendum #2 with Sentinel Offender Services LLC, to extend electronic monitoring services effective January 1, 2016.

7.11 Approve the First Amendment to the Lease Agreement between the County of Lake and Lillian Allen for the Child Welfare Services program for a term of three years and an annual amount of $17,004 through June 30, 2017, $17,520 through June 30, 2018 and $18,048 through June 30, 2019; and authorize the Chair to sign.

7.12 Approve the Grant of Easement from Richard A. and Regina C. Garrison to the Kelseyville County Waterworks District No. 3 for the Construction of a Water Mainline Extension on APN 008-730-10/5710 Kelsey Creek Drive, and Authorize the Clerk of the Board to Sign.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.1 through 7.12. The motion carried by the following vote:

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

8. Timed Items

8.1 9:05 A.M. - Public Input

There was no Public Input.

8.2 9:10 A.M. - Presentation of Proclamation Honoring the Family of the Late Robert and Margaret Sylar

Supervisor Comstock read the proclamation into the record and presented it to the family/friends of the late Robert and Margaret Sylar. Tom Kesey spoke and Doug and Kathy Whitett were also present. Lake County Museum Curator Tony Pierrucci thanked the family for their donation.

This Ceremonial Item was read into the record and presented

8.3 9:15 A.M. - Consideration of 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. 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 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. - Presentation of Two New District Attorney Investigators

District Attorney Don Anderson presented the following new staff members to the Board: District Attorney Investigators Andrew Chapman and Jason Cox. Mr. Anderson intoduced each Investigator and gave a brief background of their experience.

This Ceremonial Item was read into the record and presented

8.5 9:30 A.M. - PUBLIC HEARING - (THE APPELLANT HAS REQUESTED A CONTINUANCE TO SEPTEMBER 13, 2016 @ 10:00 A.M.) - Consideration of Appeal (AB 16-01) of Planning Commission's denial of Use Permit (15-10) to construct a new seventy-five foot (75') monopole cellular antenna; project located at 5660 Staheli Drive, Kelseyville (APN 008-050-22); applicant is Epic Wireless Group for Verizon Wireless. (Continued from July 26, 2016 and June 28, 2016)

Chair Brown announced that the the appellant has requested the item be continued to September 13, 2016 at 10:00 a.m.

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 continuance of the Consideration of Appeal (AB 16-01) of Planning Commission's denial of Use Permit (15-10) to construct a new seventy-five foot (75') monopole cellular antenna; project located at 5660 Staheli Drive, Kelseyville (APN 008-050-22); applicant is Epic Wireless Group for Verizon Wireless to September 13, 2016 @ 10:00 a.m. (Continued from July 26, 2016 and June 28, 2016) The motion carried by the following vote:

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

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Status Update from Staff, Assisting Agencies and/or Community Groups, Consequent to Wildfire Disaster.

County Administrative Officer Carol Huchingson presented the item to the Board. Environmental Health Director Ray Ruminski and Community Development Director Bob Massarelli were present and spoke. Health and safety issues are being addressed for the fire clean up including dust management procedures for homeowners when cleaning their own lots. This includes asbestos clean up, monitoring and control. Homes being reoccupied next to burned out homes are at risk when a clean up is occurring. A debris removal meeting is set up for today with the necessary County departments so all are coordinated in the clean up process. Tomorrow afternoon a meeting will identify the school children who lost their homes to the Clayton fire in Lower Lake. The children and their parents will be invited to shop at Wal Mart to replace school supplies with money donated from the community.

Supervisor Brown and Ms. Huchingson will be Co-Coordinators for the Clayton Fire Recovery. The first task force meeting will be Wednesday, August 24, 2016 at 6:00 p.m. at the Lower Lake High School gym. Task force meetings will be held every 2 weeks thereafter through the debris clean up operation. There are twenty-five (25) units opening up at the Konocti Harbor for people that lost their homes to the Clayton Fire. The Local Assistance Center (LAC) has opened in Lower Lake for recovery efforts.

This item was informational only. No action was taken.

9.3 Consideration of Recommended Changes to Paid County Emergency Leave Policy

County Administrative Officer Carol Huchingson presented the item to the Board. Human Resources Director Kathy Ferguson was 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 recommended changes to the Paid County Emergency Leave Policy. The motion carried by the following vote:

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

9.4 Consideration of Approval of Amendment No. 1 to Agreement Between the County of Lake and Lake Defense, Inc., for FY 16-17 Indigent Criminal Legal Defense Services in the amount of $1,036,000 and authorize the Chair to sign.

County Administrative Officer Carol Huchingson 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 Amendment No. 1 to the Agreement Between the County of Lake and Lake Defense, Inc., for FY 16-17 Indigent Criminal Legal Defense Services in the amount of $1,036,000 and authorize the Chair to sign. The motion carried by the following vote:

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

9.5 Request for Board Direction Regarding Acquisition of Earthquake Insurance for County Facilities

County Administrative Officer Carol Huchingson presented the item to the Board. Chief Deputy County Administrative Officer Jeff Rein was 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.

There was Board consensus directing staff to determine which County buildings are most vulnerable to a disaster regarding the acquisition of earthquake insurance and to bring the item back to the Board for consideration during final budget hearings.

There was also Board consensus for staff to contact the State of California regarding cost sharing of their portion of earthquake insurance for the court occupied fourth floor of the County Courthouse building.

9.6 Consideration of a) Approval of a Request to Establish a Participation Agreement with the California Housing Finance Agency; b) Request to Authorize the County of Lake on behalf of Lake County Behavioral Health to redirect the recently unencumbered funds from the State Department of Health Care Services MHSA Housing Program and encumber the funds within the California Housing Finance Agency as stated in the participation agreement; c) Request to Authorize the Lake County Interim Behavioral Health Director to sign the Participation Agreement with CalHFA; and d) Request to Authorize the Lake County Interim Behavioral Health Director to sign the MHSA Housing Loan Program Fund Release Authorization for existing unencumbered funds.

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 Steele, and by vote of the Board, Approved a Request to Establish a Participation Agreement with the California Housing Finance Agency. The motion carried by the following vote:

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

On motion of Supervisor Steele, and by vote of the Board, Authorized the County of Lake on behalf of Lake County Behavioral Health to redirect the recently unencumbered funds from the State Department of Health Care Services MHSA Housing Program and encumber the funds within the California Housing Finance Agency as stated in the participation agreement.

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

On motion of Supervisor Steele, and by vote of the Board, Authorized the Lake County Interim Behavioral Health Director to sign the Participation Agreement with CalHFA.

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

On motion of Supervisor Steele, and by vote of the Board, Authorized the Lake County Interim Behavioral Health Director to sign the MHSA Housing Loan Program Fund Release Authorization for existing unencumbered funds.

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

9.7 Consideration of Resolution Pertaining to Deferring the Collection of Zoning Permit Fees for Temporary Dwellings in the Area of the Clayton Fire

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.

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

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

Enactment No: 2016-136

9.8 Consideration of Resolution Pertaining to Occupancy of Temporary Dwellings While Recovering from Clayton Fire

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.

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

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

Enactment No: 2016-137

9.9 Consideration of Approval of Proposed Findings of Fact and Decision in the Appeal of Cross Development, LLC. (AB 16-02)

County Counsel Anita Grant presented the item to the Board.

Chair Brown asked if anyone present wished to speak and the following people spoke: Ed Robey, Joan Moss, Beth Rudgear and Victoria Brandon. 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 the Proposed Findings of Fact and Decision in the Appeal of Cross Development, LLC. (AB 16-02). The motion carried by the following vote:

Ayes- Supervisors: 3 - Steele, Smith and Comstock

Nayes- Supervisors: 2 - Farrington and Brown

9.10 Consideration of Filing an Argument by the Board of Supervisors in Favor of County Measure "C" on the November 8, 2016 Ballot

County Counsel Anita Grant presented the item to the Board.

Chair Brown asked if anyone present wished to speak and the following person spoke: Michael Green. 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 as amended, Filing an Argument by the Board of Supervisors in Favor of County Measure "C" on the November 8, 2016 Ballot. The added language would be "in compliance with land use". The motion carried by the following vote:

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

Nayes- Supervisors: 1 - Brown

9.11 Consideration of Approval of County Employee Benefit Plans – EIA Health, Dental, Vision and Life Renewal for 2017 and related Affordable Care Act requirements

Human Resources Director Kathy Ferguson presented the item to the Board. Human Resources Analyst Jesse Puett was present and spoke.

Chair Brown asked if anyone present wished to speak. No one present 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 County Employee Benefit Plans – EIA Health, Dental, Vision and Life Renewal for 2017 and related Affordable Care Act requirements. The motion carried by the following vote:

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

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

Undersheriff Chris Macedo 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 continuance of the Proclamation of a 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

9.13 Consideration of Award of Bid No. SD16-07, CSA 7 & CSA 18 Valley Fire Water Meter Replacement Project and Approve Contract with HD Excavating; Authorize Special Districts Administrator to Issue the Notice of Award

Special Districts Administrator Jan Coppinger 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 Award of Bid No. SD16-07, CSA 7 & CSA 18 Valley Fire Water Meter Replacement Project and Approve Contract with HD Excavating; Authorize Special Districts Administrator to Issue the Notice of Award. 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 Public Employee Evaluations
Title: Air Pollution Control Officer

10.3 Public Employee Appointment pursuant to Gov. Code Section 54957(b)(1): Interviews and Appointment of Social Services Director.

The Board reconvened into Regular Session at 11:34 a.m. having taken the following action:

On motion of Supervisor Smith, and by vote of the Board, cancelled the recruitment for a Social Services Director.

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

On motion of Supervisor Smith, and by vote of the Board, appointed Kathy Maes as the Social Services Director.

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

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 11:34 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