COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft
BOARD OF SUPERVISORS

Tuesday, January 26, 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:

Rollcall

Present: 5 - Supervisor Steele, Supervisor Farrington, Vice Chair Smith, Chair Brown and Supervisor Comstock

2. Moment of Silence

Chair Brown dedicated the moment of silence to Kelseyville resident Thomas Wright.

3. Pledge of Allegiance

Led by Tina Scott.

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

Animal Care & Control Officer Selena Craine introduced new Animal Care & Control Officer Dale Hoskins and presented one canine currently available for adoption.

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

Interim Chief Deputy County Administrative Officer Jeff Rein presented one extra item to the Board, which was directly related to item 8.3.

On motion of Supervisor Smith, and by vote of the Board, approved taking this item up as an extra, during presentation of Agenda Item 8.3. The motion carried by the following vote:

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

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders.

7. Approval of the Consent Agenda

Item 7.5 was pulled from the Consent Agenda and taken up immediately following approval thereof.

7.1 Approve Minutes of the Board of Supervisors meeting held December 15, 2015.

7.2 Adopt Resolution Amending Resolution No. 2015-119 to Amend the FY 2015-16 Adopted Budget to Transfer Money from General Fund Contingencies to Budget Unit 1120 - Non-Departmental Revenue to Return Loan Payment from Former Redevelopment Agency to Taxing Entities.

Enactment No: Resolution No. 2016-10

7.3 Approve Amendment No. 1 to Agreement between the County of Lake and Richard Bachman, DVM, for FY 15-16 Veterinary Professional Services, total amount not to exceed $67,032.52 and authorize the Chair to sign.

7.4 Approve Late Travel Claim for Behavioral Health Staff Psychologist Paul Hofacker in the amount of $536.25 and authorize the Chair to sign.

7.5 (a) Approve a Request to Establish New Extra Help Classifications to Provide Community Services Related to Emergency Events and Approve the Associated Salaries as Established by the Current Granting Agency; and (b) Adopt Resolution Amending Position Allocation for FY 2015-16 for Budget Unit 4014, Department of Behavioral Health, and Establish New Position Classifications and Related Salaries.

This item was pulled by Chair Brown and taken up immediately following approval of the Consent Agenda.

Behavioral Health Deputy Director Kevin Thompson and Behavioral Health Fiscal Manager Manuel Orozco presented this item to the Board. Recovery Coordinator Carol Huchingson also 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.

(a) On motion of Supervisor Comstock, and by vote of the Board, approved the request to establish new Extra Help classifications to provide community services related to emergency events and approving the associated salaries as established by the current granting agency. The motion carried by the following vote:

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

(b) Supervisor Comstock offered the Resolution and it was passed by roll call vote (5 ayes).

Enactment No: Resolution No. 2016-16

7.6 (a) Approve Proposed Findings of Fact and Decision in the Appeal of Damon Fanucchi (AB 15-04); and (b) Deny the appeal and authorize the Chair to sign.

7.7 Adopt Resolution Approving the County of Lake Health Services Department and Partnership HealthPlan's Intergovernmental Transfer (IGT) Agreement Accepting $150,000 in Support of Development of Health Information Exchange (HIE) and Health Accreditation and Authorize the Health Services Director to Sign the Letter of Agreement.

Enactment No: Resolution No. 2016-11

7.8 Adopt Resolution Amending Resolution No. 2015-120 Establishing Position Allocations for Fiscal Year 2015-16, Budget Unit 4121, Integrated Waste Management.

Enactment No: Resolution No. 2016-12

7.9 Approve Amendment Five to Agreement between the County of Lake and Quincy Engineering Inc. for Four (4) Bridge Replacement Projects and Two (2) Bridge Rehabilitation Projects in Lake County, CA, an increase of $81,872.57, not to exceed $1,331,808.48; and authorize the Chair to sign.

7.10 Adopt Resolution Approving the Purchase of a Temporary Construction Easement and Fee Title on a Portion of a Certain Parcel (APN 007-003-470) as Part of Bridge Replacement Project on Mathews Road, and Authorize the County Administrative Officer or the Public Works Director to Execute the Necessary Documents.

Enactment No: Resolution No. 2016-13

7.11 Adopt Resolution Approving the Purchase of a Temporary Construction Easement on a Portion of a Certain Parcel (APN 242-041-030) as part of the Konocti Road Safe Routes to School project, and authorize the County Administrative Officer or Public Works Director to execute the necessary documents.

Enactment No: Resolution No. 2016-14

7.12 Adopt Resolution Approving the Purchase of a Temporary Construction Easement on a Portion of a Certain Parcel (APN 008-665-010) as part of the Konocti Road Safe Routes to School project, and authorize the County Administrative Officer or Public Works Director to execute the necessary documents.

Enactment No: Resolution No. 2016-15

7.13 Approve Plans and Specifications for the Valley Fire Damaged Sign Replacement Project, Bid No. 15-16 and Authorize the Public Works Director / Assistant Purchasing Agent to Advertise for Bids.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.1 through 7.13, with the exception of 7.5 which was taken up immediately following approval thereof. 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

Joan Moss spoke, but was informed that since her input was related to the Valley Fire she should speak during item 9.2.

8.2 9:30 A.M. - Update on Lake County Way to Wellville Effort by Susan Jen

Susan Jen gave the presentation. Patrick Fitzgerald was also present and spoke.

Chair Brown asked if anyone present wished to speak and the following people spoke: Jill Ruzicka and Fletcher Thornton. No one else present wished to speak and the public input portion of this item was closed.

This item was informational only. No action was requested of the Board.

8.3 10:00 A.M. - PUBLIC HEARING - (Continued from January 19, 2016 and December 1, 2015) - Consideration of Resolution Making Findings Necessary to Authorize an Energy Services Contract for Replacement and Upgrade of the Utility Service that Support the Buckingham Peak Communication Facility.

Chair Brown opened the public hearing. Interim Chief Deputy County Administrative Officer Jeff Rein presented the item to the Board, which included the following:

1. Public Hearing to Consider Approval of Resolution Making Findings Necessary to Authorize an Energy Services Construction Contract for Replacement and Upgrade of the Utility Service Supporting the Buckingham Peak Communications Facility.
2. Approval of Plans and Specifications for the Buckingham Peak Power Upgrade Project.
3. Award Energy Services Construction Contracts for Replacement and Upgrade of the Buckingham Peak Utility Service - Item No 1 through 3 of Contractor's Proposal.
4. Award Energy Services Construction Contracts for Replacement and Upgrade of the Buckingham Peak Utility Service - Item No 4 and 5 of Contractor's Proposal.
5. Approve BLM Right-of-Way Grant in the Amount of $12,004.43.
6. Approve Easement Grant and Purchase Agreement therefore, with Harbor View Mutual Water Company in the Amount of $2,400.
7. Approve Utility Agreement with New Cingular Wireless PCS, LLC providing Funding for Energy Services Construction Contract and Other Expenses Necessary to Upgrade the Utility Service Supporting the Buckingham Peak Communications Facility.
8. Approve Second Amendment to the Ground Lease with New Cingular Wireless PCS, LLC with Crown Castle, Inc. as its attorney-in-fact, providing 30 Year Extension of the Term thereof.
9. Approve the Pole Attachment Agreement between the County of Lake and Pacific Bell Telephone Company.
10. Approve the Utility Payment Agreement between U.S. Cellular Corporation and the County of Lake.
11. Approve the Amendment to Tower and Ground Space License Agreement between U.S. Cellular Corporation, New Cingular Wireless PCS, LLC, and the County of Lake.
12. Approve Agreement with Streamline Engineering for Project Testing and Inspection Services in an amount not to exceed $10,000

Chair Brown asked if anyone present wished to speak and the following people spoke: David Door and Preston Dickenson. No one else present wished to speak and the public hearing was closed.

Supervisor Comstock offered the Resolution and it was passed by roll call vote (5 ayes).

On motion of Supervisor Comstock, and by vote of the Board, awarded Energy Services Construction Contracts for Replacement and Upgrade of the Buckingham Peak Utility Service - Items 1 through 5 of Contractor's Proposal. 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 Utility Agreement with New Cingular Wireless PCS, LLC providing Funding for Energy Services Construction Contract and Other Expenses Necessary to Upgrade the Utility Service Supporting the Buckingham Peak Communications Facility, contingent upon full execution of the Tower and Ground Space License Agreement. 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, approve Second Amendment to the Ground Lease with New Cingular Wireless PCS, LLC with Crown Castle, Inc. as its attorney-in-fact, providing 30 Year Extension of the Term thereof, contingent upon full execution of the Tower and Ground Space License Agreement. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Farrington, and Brown

There was Board consensus to approve the remaining documents "in concept" pending receipt of signed originals from U.S. Cellular with the intent that those documents be placed on the February 2, 2016 Consent Agenda.

Enactment No: Resolution No. 2016-17

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Status Reports/Updates of response and recovery efforts from OES, assisting agencies and/or community groups consequent to 2015 wildland fires.

Recovery Coordinator Carol Huchingson reported that there will be an "After The Fire Summit & Open House" at Twin Pine Casino from 3 p.m. to 7 p.m. on February 2, 2016. She also reported that the TeleSurvey has been stalled due to lack of staff, and that Redwood Credit Union is set to disperse the remaining funds collected in a responsible manner.

There was a special meeting last week with CalOES to discuss clean-up of commercial sites. Community Development Director Richard Coel reported on the criteria for wood mills/logging operations and debris removal at Hoberg's Resort. He also gave an update on staffing.

County Administrative Officer Matt Perry reported that Jeff Lucas and Karen McDougall submitted a grant application to USDA. Mr. Perry stated that staff would allocate money in the mid-year budget and present to the Board on February 16, 2016.

Chair Brown suggested a contract with the vendor for the new permitting system also be on the Board's agenda that day. He also reported that he is working on potential funding sources for Anderson Springs sewer and should be able to present that in late spring.

Chair Brown asked if anyone present wished to speak and the following people spoke: Christopher Rowland, Jenny Costen, Joan Moss, and Fletcher Thornton. No one else present wished to speak and the public input portion of the item was closed.

9.3 Consideration of the following appointments:
Fish and Wildlife Advisory Committee
Law Library Board of Trustees

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

On motion of Supervisor Steele, and by vote of the Board, appointed Lynette Shimek to the Fish and Wildlife Advisory Board. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown

On motion of Supervisor Farrington, and by vote of the Board, appointed Shanda Harry to the Law Library Advisory Board. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown

9.4 (Sitting as the Lake County Housing Commission, Board of Directors) - Informational Staff Report to Raise Public Awareness about Upcoming Public Hearing for Section 8 Administrative Plan Changes (2015-2016)

Lake County Housing Commission Director Carol Huchingson introduced the item to the Board. Housing Program Manager Edgar Perez presented the proposed changes.

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

This item was informational only. No action was reqested of the Board.

9.5 Consideration of Golden State Finance Authority (GSFA) Agreement for Residence Emergency Disaster Assistance Program for Member County: Lake

Recovery Coordinator Carol Huchingson presented the item to the Board.

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

On motion of Supervisor Farrington, and by vote of the Board, approved Golden State Finance Authority (GSFA) Agreement for Residence Emergency Disaster Assistance Program for Lake County, and authorized the Chair to sign. The motion carried by the following vote:

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

9.6 Consideration of Resolution Amending Resolution No. 2015-119 to Amend the FY 2015-16 Adopted Budget to Adjust Revenues and Appropriations in Budget Unit 1781 – Special Projects.

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

Chair Brown asked if anyone present wished to speak. No one present 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 (5 ayes).

Enactment No: Resolution No. 2016-18

9.7 Consideration of Second Agreement between the County of Lake and Konocti Harbor Resort and Spa to Provide Transitional Housing for Valley Fire Survivors.

Recovery Coordinator Carol Huchingson presented the item to the Board.

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

On motion of Supervisor Comstock, and by vote of the Board, approved Second Agreement between the County of Lake and Konocti Harbor Resort and Spa to Provide Transitional Housing for Valley Fire Survivors, and authorized the Chair to sign. The motion carried by the following vote:

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

9.8 Consideration of Approval of Match funds for Hazard Mitigation Grant Program and Authorization for the County Administrative Officer to sign the commitment letter.

Public Works Director Scott DeLeon and Assistant Public Works Director Lars Ewing presented the item to the Board. They talked about exploring ways to reduce the scope of the project and the cost of match.

County Administrative Officer Matt Perry stated that it was likely that reserves will have to be cancelled to come up with the funds necessary to cover all of the other fire recovery projects. Total County match for those projects is around $2 million. The County has already requested that Senator McGuire introduce special legislation to waive the match. Mr. Perry proposed that Public Works scale back the erosion project, and that the County commit a maximum of $500,000 instead of the requested $1 million.

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

On motion of Supervisor Comstock, and by vote of the Board, approved a County committment in the amount of $500,000 for match funds for Hazard Mitigation Grant Program and authorized the County Administrative Officer to sign the commitment letter. The motion carried by the following vote:

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

9.9 Consideration of Agreement between the County of Lake and Quincy Engineering for Replacement of Bartlett Creek Bridge at Bartlett Springs Road (14C-0099) and Rehabilitation of Cache Creek Bridge at Bartlett Spring Road 14C-0107) in Lake County, CA.

Public Works Director Scott DeLeon presented the item to the Board.

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

On motion of Supervisor Farrington, and by vote of the Board, approved Agreement between the County of Lake and Quincy Engineering for Replacement of Bartlett Creek Bridge at Bartlett Springs Road (14C-0099) and Rehabilitation of Cache Creek Bridge at Bartlett Spring Road 14C-0107) in Lake County, CA, and authorized the Chair to sign. The motion carried by the following vote:

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

9.10 Consideration of Plans and Specifications for the Valley Fire Damaged Metal Beam Guard Rail Replacement Project, Bid No. 15-17

Public Works Director Scott DeLeon and Assistant Public Works Director Lars Ewing presented the item to the Board.

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

On motion of Supervisor Comstock, and by vote of the Board, approved Plans and Specifications for the Valley Fire Damaged Metal Beam Guard Rail Replacement Project, Bid No. 15-17. The motion carried by the following vote:

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

9.11 Consideration of (a) Approval of Time Extension to Agreement between the County of Lake and AshBritt, Inc., for the Valley Fire Hazard Tree Mitigation Project; and (b) Discussion and Consideration of Plans for Further Work Phases

Public Works Director Scott DeLeon presented the item to the Board. Assistant Public Works Director Lars Ewing gave an update on the project and the process for obtaining Right of Entry.

County Counsel Anita Grant will meet with the County Administrative Officer and the Department of Public Works to discuss Right of Entry language, which insurance companies are having issues with.

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

On motion of Supervisor Comstock, and by vote of the Board, approved a time extension to Agreement between the County of Lake and AshBritt, Inc., for the Valley Fire Hazard Tree Mitigation Project. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Farrington

9.12 Consideration of Recommendations from Classification and Compensation Committee and Consideration of Resolution Establishing New Classification, Salary Adjustments and Amending Resolution No. 2015-120 to Amend Position Allocation for Selected Budgets for FY 2015-16.

Deputy Human Resources Director Sarah Jansen presented the item to the Board.

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

On motion of Supervisor Comstock, and by vote of the Board, approved the recommendations of the Classification and Compensation Committee and authorized the Human Resources Director to initiate the meet and confer process with the applicable employee associations. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, and Brown
Absent: Supervisor Farrington

Supervisor Comstock offered the Resolution and it was passed by roll call vote (4 ayes, Supervisor Farrington absent).

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

Absent- Supervisors: 1 - Farrington

Enactment No: Resolution No. 2016-19

10. Closed Session

Chair Brown announced 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, 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(d)(1): Verizon v. Board of Equalization, et al.

10.3 Public Employment pursuant to Gov. Code Sec. 54957 – Interviews
Title: County Administrative Officer

10.4 Public Employee Appointment pursuant to Gov. Code Section 54957(b)(1): Public Services Director.

The Board reconvened into Regular Session at 3:46 p.m.

On motion of Supervisor Smith, and by vote of the Board, appointed Lars Ewing Interim Public Services Director, effective March 4, 2016 through June 30, 2016. The motion carried by the following vote:
Ayes: Supervisors Comstock, Smith, Steele, Farrington, and Brown

11. Adjournment

There being no further business, the Board adjourned at 3:47 p.m.