COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final
BOARD OF SUPERVISORS

Tuesday, September 13, 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 Alicia Flores.

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

Animal Care and Control Officer Bray presented one canine currently available for adoption.

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

Extra #1 - Consideration of Proclamation of a Local Health Emergency by the Lake County Public Health Officer.

On motion of Supervisor Comstock, and by vote of the Board, approved taking up Extra Item 5.1 - Consideration of Continuation of a Proclamation of a Local Health Emergency by the Lake County Health Officer.

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

5.1 Consideration of Continuation of a Proclamation of a Local Health Emergency by the Lake County Health Officer

County Public Health Officer Dr. Karen Tait presented the item to the Board. This prolcamation must come in front of the Board of Supervisors every two weeks to keep the Local Health Emergency in effect.

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.

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

6. Current Construction Projects - Contract Change Orders

There were no Contract Change Orders to consider.

7. Approval of the Consent Agenda

Consent Agenda Item 7.13 was pulled at the request of County Counsel to be taken up at a later date.

7.1 Adopt Resolution fixing tax rates for local agencies, general obligation bonds, and other voter approved indebtedness for Fiscal Year 2016/17.

Enactment No: 2016-140

7.2 (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 Agreement between the County of Lake and San Sousee for Adult Residential Support and Specialty Mental Health Services for Fiscal Year 2016-17 for a contract maximum of $133,482 and authorize the Chair to sign.

7.3 (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 Agreement between the County of Lake and Davis Guest Home for Adult Residential Support Services for Fiscal Year 2016-17 for a contract maximum of $35,770 and authorize the Chair to sign.

7.4 (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 Agreement between the County of Lake and Willow Glen Care Center for Adult Residential Support Services and Specialty Mental Health Services for Fiscal Year 2016-17 for a contract maximum of $30,000 and authorize the Chair to sign.

7.5 (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 Agreement between the County of Lake and Modesto Residential Living Center, LLC for Adult Residential Support Services and Specialty Mental Health Services for Fiscal Year 2016-17 for a contract maximum of $91,250 and authorize the Chair to sign.

7.6 (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 Agreement between the County of Lake and Crestwood Behavioral Health for Adult Residential Support and Specialty Mental Health Services for Fiscal Year 2016-17 for a contract maximum of $350,000 and authorize the Chair sign

7.7 (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 Agreement between the County of Lake and North Valley Behavioral Health, LLC for Acute Inpatient Psychiatric Hospital Services for Fiscal Year 2016-17 for a contract maximum of $200,000 and authorize the Chair to sign.

7.8 (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 Agreement between the County of Lake and Konocti Senior Support, Inc. for Senior Support Counseling Services for Fiscal Year 2016-17 for a contract maximum of $108,378 and authorize the Chair to sign.

7.9 (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 Agreement between the County of Lake and Center Point DAAC for Substance Use Disorder Residential Treatment and Detoxification Services for Fiscal Year 2016-17 for a contract maximum of $30,000 and authorize the Chair to sign.

7.10 (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 Agreement between the County of Lake and Women's Recovery Services for Substance Use Disorder Residential and Detoxification Services for Fiscal Year 2016-17 for the amount of $30,000 and authorize the Board Chair to sign the Agreement.

7.11 (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 Agreement between the County of Lake and Native American Mental Health Services dba North American Mental Health Services (NAMHS) for Telepsychiatry Services for Fiscal Year 2016-17 for a contract maximum of $300,000 and authorize the Chair to sign.

7.12 (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 Agreement between the County of Lake and Cerner Corporation for Anasazi Software and Support Services for Fiscal Year 2016-17 for a contract maximum of $60,000 and authorize the Chair to sign.

7.13 Approve the First Amendment to the Agreement between the County of Lake and Donald A. & Lesley J. Bordessa to extend the term of a commercial lease for The Bridge Drop-In Center through June 30, 2021 in the amount of $950 per month and authorize the Chair to sign.

Consent Item 7.13 was pulled at the request of County Counsel to be taken up at a later date.

7.14 Adopt Proclamation designating the month of September 2016 as Alcohol and Drug Addiction Recovery Month in Lake County.

7.15 Approve Minutes from the Board of Supervisors meetings held on July 26, 2016 and August 9, 2016.

7.16 Approve Consolidation of School District Elections to be held on the same day as the statewide November 8, 2016 Consolidated General Election by other political subdivisions, in the same territory, or in territory that is in part the same

7.17 Approve Consolidation of Special District Elections to be held on the same day as the statewide November 8, 2016 Consolidated General Election by other political subdivisions, in the same territory, or in territory that is in part the same

7.18 Approve Creation of Extra Help Deputy Literacy Program Coordinator with Salary Rate Tied to Grade A13

7.19 Adopt Resolution Rescinding Resolution No. 2016-102 and Approve Right-of-Way Certification for East Lake Elementary Safe Routes to School and CDBG Project - Federal Aid No. SR2SL-5914 (064), SRTSL-5914 (057), and SRTSL-5914 (097)

Enactment No: 2016-141

7.20 Adopt Resolution Authorizing the Department of Public Works to Submit Applications for 2016 California Department of Transportation Division of Aeronautics Airport Improvement Program Matching Grant Funds for Lampson Field and Designate the Public Works Director as the County's Official Representative

Enactment No: 2016-142

7.21 Approve the submission of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program application in the amount of $15,980, to provide funding for an extra help employee to assist with forensic processing and data collection services; and authorize County Administrative Officer Carol J. Huchingson to sign.

7.22 (a) Approve the submittal of an application for a Hazard Mitigation Grant to California Office of Emergency Services and authorize County Administrative Officer Carol Huchingson to sign; and (b) Adopt Resolution authorizing specified County officers to take actions necessary to obtain said Grant.

7.23 Adopt Resolution Granting A Request for Relief From Section 205 of the Sewer Use Ordinance to Mr. Gary Boyce for Premises Located at 3292 16th Street, Clearlake, CA., APN 038-202-3300

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda Items 7.1 through 7.23, with the exception of 7.13, which was pulled at the request of County Counsel to be taken up at a later date. The motion carried by the following vote:

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

Enactment No: 2016-143

8. Timed Items

8.1 9:05 A.M. - Public Input

Kevin Waycik spoke.

8.2 9:06 A.M. - Swearing in Ceremony for Deputy Sheriff Anthony Bracisco and Correctional Officer Tabitha Chant.

Sheriff Brian Martin introduced the officers and administered the Oath of Office to Deputy Sheriff Anthony Bracisco and Correctional Officer Tabitha Chant. The Board of Supervisors congratulated the new officers.

This Ceremonial Item was read into the record and presented

8.3 9:10 A.M. - Presentation of Proclamation designating the month of September 2016 as Alcohol and Drug Addiction Recovery Month in Lake County.

Supervisor Steele read the proclamation into the record and presented it to the staff of Behavioral Health.

Interim Behavioral Health Director Kevin Thompson accepted the proclamation and introduced the attendees of the ceremony: Substance Abuse Program Coordinator Neil Miller, Substance Abuse Counselor Randall Cole, Substance Abuse Program Manager Robyn Rosin and Lori Carter-Runyon from Hilltop Recovery.

This Ceremonial Item was read into the record and presented

8.4 9:15 A.M. - PUBLIC HEARING - Consideration of Resolution to Vacate an Easement for Public Use, in Glenhaven, County of Lake, State of California

Public Works Director Scott DeLeon requested a continuance to next week.

This agenda item was continued to September 20, 2016 at 9:15 a.m.

8.5 9:30 A.M. - PUBLIC HEARING - Consideration of Appeal of Planning Commission Denial of Minor Use Permit (MUP 16-04) for a small kennel; AB 16-03 APN 015-009-02 - Supervisor District 4

Community Development Director Bob Massarelli presented the item to the Board. Assistant Planner Tricia Shortridge was present and gave a PowerPoint presentation of the property that would house the small kennel. Appellant James Wilson was present for the hearing with Attorney Andre Ross.

Chair Brown opened the public hearing and the following people spoke: Jeff Vertrees, Rene Teverbaugh, Gary Diaz, Kimberly Thompson and Karen Edinger. No one else wished to speak and the public hearing was closed.

County Counsel Anita Grant requested to reopen this item for discussion. Ms. Grant asked the Board to direct County Counsel to prepare Findings of Fact within 45 days.

On motion of Supervisor Farrington, and by vote of the Board, denied the appeal of Planning Commission Denial of Minor Use Permit (MUP 16-04) for a small kennel; AB 16-03, APN 015-009-02. The proposed Findings of Fact will be brought back before the Board within 45 days. The motion carried by the following vote:

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

8.6 9:45 A.M. - PUBLIC HEARING - (a) Consideration of an Urgency Ordinance Authorizing Temporary Additional Gate Fees at the Eastlake Sanitary Landfill for Debris Generated By the Clayton Fire; and (b)Consideration of Ordinance Amending Ordinance No. 2950 to Establish Additional Gate Fees at the Eastlake Sanitary Landfill for Debris Generated From a Locally Declared Disaster

Public Services Director Lars Ewing presented the item to the Board. Two separate ordinances have been drafted regarding gate fees at the landfill, an urgency ordinance due to the current disaster and an ordinance to amend the existing gate fees when there is a locally declared disaster.

Chair Brown opened the public hearing and Joan Moss spoke. No one else wished to speak and the public hearing was closed.

(a) On motion of Supervisor Smith and by vote of the Board (5 ayes), waived the reading of the urgency ordinance, to be read in title only (Clerk did so).

Supervisor Comstock offered Urgency Ordinance No. 3048, and it was passed by roll call vote (5 ayes).

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

(b) On motion of Supervisor Smith and by vote of the Board (5 ayes), waived the reading of the ordinance, to be read in title only (Clerk did so).

On motion of Supervisor Smith, and by vote of the Board (5 ayes), advanced the ordinance one week, to September 20, 2016.

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

Enactment No: Ord. 3048

8.7 10:00 A.M. - PUBLIC HEARING - (Continued from August 23, 2016, July 26, 2016 and June 28, 2016) - 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.

Chair Brown provided an update regarding the interest of the Kelseyville School to host the Verizon tower and a request to continue the hearing. Paul Albritton, Counsel for Verizon Wireless spoke about the Kelseyville School location and requested that the appeal be moved ahead three months to give ample time to work with the school administration on this matter. Andrew Lesa from Epic Wireless, representing Verizon Wireless was also present.

This agenda item has been continued to December 13, 2016 at 10:00 a.m.

8.8 10:30 A.M. - HEARING - Consideration of Notice of Nuisance and Order to Abate Unlawful Marijuana Cultivation for property located at 3940 Spring Valley Rd, Clearlake Oaks (APN 062-041-01 - Clinton Joseph Gray)

Anthony Farrington recused himself from the hearing. Code Enforcement Officer Mike Penhall presented the item to the Board and gave a PowerPoint presentation of the property. Community Development Director Bob Massarelli was also present and spoke. Appellant Clinton Joseph Gray was present for the hearing with Attorney Andrea Sullivan.

Chair Brown asked if anyone present wished to speak and the following person spoke: Jan Coppinger. 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 Notice of Nuisance and Order to Abate Unlawful Marijuana Cultivation for property located at 3940 Spring Valley Rd, Clearlake Oaks (APN 062-041-01 - Clinton Joseph Gray). The motion carried by the following vote:

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

Recused- Supervisors: 1 - Farrington

9. Non-Timed Items

9.1 Supervisors' weekly calendar, travel and reports

9.2 Consideration of Letter to the Bureau of State and Corrections (BSCC) to Relinquish Jail Expansion Grant Pursuant to SB 1022

County Administrative Officer Carol Huchingson presented the item to the Board. Sheriff Brian Martin was also present and spoke.

Chair Brown asked if anyone present wished to speak and the following person spoke: Nancy Ruzika. 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 Letter to the Bureau of State and Corrections (BSCC) to Relinquish Jail Expansion Grant Pursuant to SB 1022. The motion carried by the following vote:

Ayes- Supervisors: 3 - Steele, Brown and Comstock

Nayes- Supervisors: 1 - Smith

Absent- Supervisors: 1 - Farrington

9.3 Consideration of Ordinance amending Section 44.5 of Article VI, Section 44.6, and adding Section 44.7 of Chapter 15 to establish rules and regulations for the Kelseyville Skate Park

Public Services Director Lars Ewing 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 (5 ayes), waived the reading of the ordinance to be read in title only (Clerk so did).

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

On motion of Supervisor Comstock, and by vote of the Board (5 ayes), advanced the ordinance one week to September 20, 2016.

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

9.4 Consideration of Request to Appoint Kati Galvani as Deputy Public Services Director I – Administration

Public Services Director Lars Ewing 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 Farrington, and by vote of the Board, approved the Request to Appoint Kati Galvani as Deputy Public Services Director I – Administration. The motion carried by the following vote:

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

9.5 Consideration of Approval of Plans and Specifications for the Eastlake Elementary School Safe Routes to School & CDBG Grant Project, Bid No. 16-16

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

Chair Brown asked if anyone present wished to speak. No one asked 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 Plans and Specifications for the Eastlake Elementary School Safe Routes to School & CDBG Grant Project, Bid No. 16-16. The motion carried by the following vote:

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

9.6 Consideration of continuing the Proclamation of a Declaration of a Local Emergency due to wildfire conditions. Pertaining to Rocky, Jerusalem and Valley Fires.

Sheriff Brian Martin 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, pertaining to Rocky, Jerusalem and Valley Fires. The motion carried by the following vote:

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

9.7 Consideration of continuing the Proclamation of a Declaration of a Local Emergency due to the Clayton Fire

Sheriff Brian Martin 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 the Clayton Fire. The motion carried by the following vote:

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

9.8 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) Approval of Agreement with June Wilson-Clarkin to provide Evidenced Based Practices and Services in the Lake County Jail in the amount of $62,400 and authorize the Chair to sign.

Sheriff Brian Martin presented the item to the Board. Correctional Captain Greg Hosman 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.

There was Board consensus to continue with the bidding process for this contract and to send a Request for Proposal out for service.

There was Board consensus to change the terms of the agreement with June Wilson-Clarkin to provide Evidenced Based Practices and Services in the Lake County Jail to a month to month contract until terminated.

9.9 Consideration of Approval of Engineering Services Agreement in the amount of $480,000 with Brelje & Race for the Anderson Springs Sewer Project and Authorize the Chair to Sign

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 Engineering Services Agreement in the amount of $480,000 with Brelje & Race for the Anderson Springs Sewer Project and Authorize the Chair to Sign. 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: Existing Litigation pursuant to Gov. Code sec. 54956.9 (d)(1) – Lakeside Height HOA, et al. v. County of Lake, et al.

10.3 Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9 (d)(1) – Bond v. County of Lake, et al.

10.4 Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9 (d)(1) - In the Matter of the Application of California Water Service Company, Application 15-07-015

10.5 Conference with Legal Counsel: Significant Exposure to Litigation pursuant to Gov. Code Sec. 54956.9 (d)(2), (e)(5) – One Potential Case

The Board reconvened into Regular Session at 2:25 p.m. having taken no action.

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 2:25 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