



# COUNTY OF LAKE

255 North Forbes Street  
Lakeport, CA 95453

## Meeting Minutes - Final BOARD OF SUPERVISORS

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Tuesday, December 19, 2017

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 Smith. 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: Supervisor Simon, Supervisor Steele, Supervisor Scott, Supervisor Brown and Chair Smith*

### 2. Moment of Silence

*A moment of silence was observed for the fatality of a worker involved with the fire relief cleanup at the Sonoma County landfill.*

### 3. Pledge of Allegiance

*Led by Ray Ruminski.*

### 4. Presentations by County Departments:

#### (a) Animal Care & Control - Animals Available for Adoption;

#### (b) Human Resources - Current County Job Openings.

*(a) Animal Care and Control Officer Jonathan Armas presented on canine currently available for adoption.*

*(b) Human Resources Analyst Jesse Puett presented the current job openings at the County of Lake.*

### 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 to consider.*

### 7. Approval of the Consent Agenda

*Consent agenda item 7.7 was pulled at the request of Supervisor Scott for further clarification.*

- 7.1** Adopt Resolution Approving Agreement No. 17-0129 with the State of California, Department of Food and Agriculture and Authorizing Execution of the Contract and Contractor Certification Clause and Signatures for Insect Trapping Activities for Fiscal Year 2017/18.

Enactment No: Resolution No. 2017-158

- 7.2 Approve Request for Advance Step Hiring of Mental Health Specialist II, Step 5 for Dr. Benjamin Burnette
- 7.3 Adopt Proclamation Recognizing the Retirement of Raymond Ruminski, Environmental Health Director and Honoring Him for More Than 32 Years of Outstanding Service and Dedication to the County of Lake
- 7.4 Approve Financing Agreement and Addendum between the County of Lake and Cisco Capital for the purchase of yearly maintenance from Cisco Systems, in the amount of \$118,112.60 for 5 years, and authorize the Chair to sign.
- 7.5 (Sitting as the Lake County Sanitation District, Board of Directors) Adopt Resolution Appropriating Unanticipated Revenue to Budget Units 8351, Lands End/South Lakeport Sewer and 8354, Lake County Sanitation District Southeast for 2017 Winter Storm Expense Reimbursements

Enactment No: Resolution No. 2017-159

- 7.6 (Sitting as Lake County Watershed Protection District, Board of Directors) Adopt Resolution Approving the Intent to Participate in the Deferred Maintenance Program to Receive State Funds under section 6.10 of Senate Bill 826 (Stats. 2016, Ch. 23)

Enactment No: Resolution No. 2017-160

- 7.7 Approve Agreement with AshBritt, Inc. for Redwood Valley Fire Debris Disposal and Reimbursement of Costs at the Eastlake Sanitary Landfill and authorize the Chair to sign

*This item was pulled from the consent agenda for further discussion. Public Services Director Lars Ewing presented the item to the Board.*

*Chair Smith 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 Scott, and by vote of the Board, approved the Agreement with AshBritt, Inc. for Redwood Valley Fire Debris Disposal and Reimbursement of Costs at the Eastlake Sanitary Landfill and authorized the Chair to sign. The motion carried by the following vote:**

**Ayes- Supervisors:** 5 - Smith, Steele, Brown, Scott and Simon

- 7.8 Approve Engineering / Inspection Agreement for Alvin Olea as a condition of a Conditional Certificate of Compliance (CCC), Assessor's Parcel Nos. 004-065-17 & 004-66-12, for the County of Lake to provide engineering services for the review of plans, specifications and inspection of work; and authorize the Chair to sign.

- 7.9** Approve the Contract by and between the County of Lake and Bennet Omalu Pathology for Pathology Services in Lake County for an estimated cost of \$300,000 and authorize the Chair to sign.

On motion of Supervisor Steele, and by vote of the Board, approved consent agenda items 7.1 through 7.9, with the exception of item 7.7, which was taken up immediately after. The motion carried by the following vote:

**Ayes- Supervisors:** 5 - Smith, Steele, Brown, Scott and Simon

## **8. Timed Items**

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

- 8.2** 9:08 A.M. - Swearing In Ceremony for Newly Appointed Correctional Officers

*Sheriff Brian Martin presented the newly appointed Correctional Officers Anton Sklyarov and Joshua Morris to the Board and administered the Oath of Office.*

**Ceremonial item only.**

- 8.3** 9:10 A.M. - Presentation of Proclamation Recognizing the Retirement of Raymond Ruminski, Environmental Health Director and Honoring Him for More Than 32 Years of Outstanding Service and Dedication to the County of Lake

*Supervisor Brown read the proclamation into the record and presented it to Environmental Health Director Ray Ruminski. Mr. Ruminski accepted the proclamation and spoke.*

**Ceremonial item only.**

- 8.4** 9:12 A.M. - (a) Consideration of Continuation of a Proclamation of a Local Health Emergency by the Lake County Health Officer; and (b) Update and Discussion on Sulphur Fire Recovery

*(a) Health Services Director Denise Pomeroy presented the item to the Board.*

*(b) Environmental Health Director Ray Ruminski gave an update regarding the Sulphur Fire recovery. There are a total of one hundred thirty six registered Right of Entry (ROE) contracts. Eighty five lots have had the fire related debris removed and thirty four lots have passed the soil tests. The Army Corps has changed their prime contractor to AshBritt, Inc. January 15, 2018 is the projected date to finish heavy equipment work and erosion control. A total of fifteen lots have been cleaned up by private contractors and there are seven lots that are subject to nuisance abatement proceedings.*

*Chair Smith 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 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 - Smith, Steele, Brown, Scott and Simon

- 8.5** 9:15 A.M. - (Sitting as Kelseyville County Water Works District #3, Board of Directors) Consideration of an Agreement between North Coast Solar and KCWWD#3 for the Installation of a 251kW Solar Array at the Kelseyville Wastewater Treatment Plant and authorize the Chair to sign.

*Special Districts Deputy Administrator Scott Harter presented the item to the Board.*

*Chair Smith 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 Brown, and by vote of the Board, approved the Agreement between North Coast Solar and KCWWD#3 for the Installation of a 251kW Solar Array at the Kelseyville Wastewater Treatment Plant and authorized the Chair to sign. The motion carried by the following vote:**

**Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon**

- 8.6** 9:30 A.M. - Consideration of Staff Recommendation for Making the Lucerne Hotel Available for Purchase, Lease to Purchase or Long-Term Lease Agreement

*County Administrative Officer Carol Huchingson presented the item to the Board.*

*Chair Smith asked if anyone present wished to speak and the following people spoke: Tom Slate and Elizabeth Larsen. No one else wished to speak and the public input portion of this item was closed.*

**There was Board consensus to move forward with the staff recommendation for making the Lucerne Hotel available through a request for proposals (RFP) process for Purchase, Lease to Purchase or Long-Term Lease Agreement.**

- 8.7** 9:45 A.M. - Discussion and Consideration of a Draft Urgency Ordinance Allowing Temporary and Limited Registration of Certain Commercial Adult Use Cultivation Under Specified Conditions During a Moratorium Period.

*County Counsel Anita Grant presented the item to the Board. Community Development Department Director Bob Massarelli was present and spoke.*

*Chair Smith asked if anyone present wished to speak and the following people spoke: Gene Paleno, Richard Darm, Jason Oram, Stephan, Bridget King, Mark Lewis, Brynna Sullivan, Toni Scully, Rod Zeller, Steve Hajik, Mary, Kaponno, Michael Green, Chris Jennings, Matt Graham, Mike Mitzel, Bobby Dutcher, Eric Skalar, David Lepert, Bob Scalla, Lance Williams, Alex Matthews and Charlene McNall.*

**On motion of Supervisor Steel, and by vote of the Board, waived the reading of the urgency ordinance, as amended, to be read in title only (Clerk so did). The motion carried by the following vote:**

**Ayes: Supervisors Simon, Steele, Scott and Smith**

**Nays: Supervisor Brown**

**Supervisor Steele offered Urgency Ordinance No. 3070, and it was passed by roll call vote:**

**Ayes: Supervisors Simon, Steele, Scott and Smith**

**Nays: Supervisor Brown**

Enactment No: Ordinance No. 3070

## 9. Non-Timed Items

### 9.1 Supervisors' weekly calendar, travel and reports

#### 9.2 Consideration of the Following Appointment:

**Maternal, Child and Adolescent Health (MCAH) Advisory Board**

*Chair Smith presented the item to the Board.*

*Chair Smith 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 Simon, and by vote of the Board, appointed Carly Swatosh to the Maternal, Child and Adolescent Health (MCAH) Board. The motion carried by the following vote:**

**Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon**

#### 9.3 Consideration of a Revised County Donations Policy, replacing section 10, subsection 40, and obsoleting section 10, subsection 33, and section 12, subsection 6, of the Lake County Policies and Procedures Manual.

*County Administrative Officer Carol Huchingson introduced the item. Deputy County Administrative Officer Matthew Rothstein presented the item to the Board.*

*Chair Smith 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 Scott, and by vote of the Board, adopted the Revised County Donations Policy, replacing section 10, subsection 40, and obsoleting section 10, subsection 33, and section 12, subsection 6, of the Lake County Policies and Procedures Manual. The motion carried by the following vote:**

**Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon**

#### 9.4 Consideration of Bid Award for the Purchase of 28 Portable Radios to Motorola Solutions in the amount of \$49,527

*Sheriff Brian Martin presented the item to the Board. Undersheriff Chris Macedo was also present and spoke.*

*Chair Smith 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 Award of Bid for the purchase of portable radios in the amount of \$49,527.00 to Motorola Solutions. The motion carried by the following vote:**

**Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon**

## 10. Closed Session

*Chair Smith announced that the Board would now go into Closed Session for the reasons stated on the agenda.*

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

10.2 ADDENDUM - Conference with Legal Counsel: Decision whether to Initiate Litigation Pursuant to Gov. Code sec. 54956.9(d)(4): One Potential Case.

*The Board reconvened into Regular Session at 1:51 p.m. having taken the following action.*

On motion of Supervisor Steele, and by vote of the Board, moved to authorize the County Counsel to engage California Fire Lawyers to appear for the county in initial proceedings. When and if action is formally commenced, the title and nature of the action, defendants, and other details shall be disclosed to anyone upon inquiry to the Clerk of the Board of Supervisors unless to do so would jeopardize the County's ability to effectuate service of process or conclude settlement. The motion carried by the following vote:

**Ayes: Supervisors Simon, Steele, Scott, Brown and Smith**

**11. Adjournment**

*There being no further business, the Board of Supervisors adjourned at 1:52 p.m.*

**CAROL J. HUCHINGSON**  
Clerk of the Board

By:   
Carolyn Purdy  
Assistant Clerk of the Board

  
Chair-Lake County Board of Supervisors

