



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, January 10, 2017

9:00 AM

Board Chambers

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Smith. Chief Deputy County Administrative Officer/Acting Clerk of the Board Jeff Rein, County Counsel Anita Grant, and Asst. Clerk of the Board Alicia Flores were present along with the following Supervisors:

Present: Supervisors Simon, Steele, Scott, Brown and Smith

2. Moment of Silence

3. Pledge of Allegiance

Led by Supervisor Simon.

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 presented.

7. Approval of the Consent Agenda

- 7.1 Approve Minutes of the Board of Supervisors meetings held December 20, 2016 and January 3, 2017.
- 7.2 (a) Adopt Proclamation Commending Jim Comstock; and (b) Adopt Proclamation Commending Anthony Farrington.
- 7.3 (a) Waive the formal bidding process, per Ordinance #3043, 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 Crestwood Behavioral Health and the County of Lake for Adult Residential Support and Specialty Mental Health Services for Fiscal Year 2016-17 for a contract increase of \$200,000 for a new contract maximum of \$550,000 and authorize the Board Chair to sign the Amendment.

- 7.4 Approve the Appointment of Crystal Martin as Interim Victim Witness Program Administrator
- 7.5 Approve Agreement between the County of Lake and Ruzicka Associates for Professional Design services for the Lower Lake Parks Maintenance Building, in the amount of \$99,022, and authorize the Chair to sign.
- 7.6 Adopt Resolution Authorizing Submission of a Grant Application From Lake County Health Services to the California Department of Public Health, Childhood Lead Poisoning Prevention Branch (CLPPP) Grant Program for Fiscal Years 2017/2018 through 2019/2020, in the Amount of \$201,914 and Authorize the Director of Health Services to Sign Said Application and Grant

Enactment No: Resolution No. 2017-03

- 7.7 Adopt Resolution Approving and Accepting Final Parcel Map Neve PM 15-02 and authorize the Chair to sign

This item was pull indefinitely.

- 7.8 Adopt of a Resolution Authorizing the Director of Public Works Director to Sign Local Agency-State Cooperative Agreement No. 01-0376 for the Construction on the State Highway of the Eastlake Elementary Safe Routes to School and Community Development Block Grant Sidewalk and Street Lighting Project.

Enactment No: Resolution No. 2017-04

- 7.9 Approve Supplemental Services Agreement No. 5 (Consulting Airport Engineer) for the Lampson Airport Capital Improvement Plan, in the amount of \$5,000 and authorize the Chair to sign.
- 7.10 Approve Dedication and Conveyance of Water Mainline Extension to serve APN's 008-730-10 and -09, more specifically described as Parcels 1 through 4 as shown on that certain map entitled "Parcel Map PM 08-03", and authorize the Chair to sign.

On motion of Supervisor Steele, and by vote of the Board, approved Consent Agenda Items 7.1 through 7.10 with the exception of 7.7 which was pulled indefinitely. The motion carried by the following vote:

Ayes- Supervisors Simon, Steele, Scott, Brown and Smith

8. Timed Items

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

There was no public input.

8.2 9:10 A.M. - Appoint/reappoint members of the Lake County Planning Commission

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 John Hess as Planning Commissioner, District 1. The motion carried by the following vote:

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

On motion of Supervisor Scott, and by vote of the Board, appointed Matt Leveque as Planning Commissioner, District 4. The motion carried by the following vote:

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

On motion of Supervisor Brown, and by vote of the Board, appointed Dan Suenram as Planning Commissioner, District 5. The motion carried by the following vote:

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

8.3 9:15 A.M. - Consideration of Continuation of a Proclamation of a Local Health Emergency by the Lake County Health Officer

Lake County Health Officer Karen Tait presented the item to the Board. Environmental Health Director Ray Ruminski provided a brief update on Clayton fire cleanup efforts, noting that CalRecycle completed debris removal on 151 lots, with private contractors completing roughly 50 lots. Thirteen (13) properties have been issued a Notice of Nuisance Order to Abate, however 11 of those have been in contact with the County. CalRecycle will allow any of these properties into the program with a completed Right of Entry (ROE) form. Of the 11 properties, 3 have since signed up with CalRecycle and 5 have secured private contractors, leaving 3 properties likely needing to be abated. There was an inquiry of the Tuscan Village property; the owner has reported to have secured a private contractor. Tuscan Village was amongst the 11 properties issued a Notice of Nuisance to Abate.

Supervisor Brown provided a brief update on the Valley Fire area with regard to rainfall, downed trees and slides.

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, continued the Declaration 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

8.4 9:20 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$19114.45, for 12577 Widgeon Way, Clearlake Oaks CA (APN 035-132-36 -The Iron Skillet Inc.)

Code Enforcement Officer Mike Penhall and Community Development Director Robert Massarelli were sworn in by Clerk. The Iron Skillet, Inc., nor representation thereof, were present.

Mr.Penhall presented the staff report. Chair Smith asked if anyone present wished to speak. No one wished to speak and the hearing was closed.

On motion of Supervisor Steele, and by vote of the Board, approved the assessment of \$19,114.45 for nuisance abatement on property located at 12577 Widgeon Way Clearlake Oaks CA, also known as Assessors Parcel Number 035-132-36, and owned by The Iron Skillet, Inc. be confirmed and the Enforcement Official be directed to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of \$19,114.45 pursuant to Lake County Ordinance Code Chapter 13, Section 13-43. The motion carried by the following vote:

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

- 8.5** 9:30 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$10,453.74, for 12545 Lakeview Dr, Clearlake Oaks, CA (APN 035-152-65 -LJohn Danuck)

Code Enforcement Officer Mike Penhall and Community Development Director Robert Massarelli were sworn in by Clerk. John Danuck, nor representation thereof, were present.

Mr.Penhall presented the staff report. Chair Smith asked if anyone present wished to speak. No one wished to speak and the hearing was closed.

On motion of Supervisor Steele, and by vote of the Board, approved the assessment of \$10,453.74 for nuisance abatement on property located at 12545 Lakeview Dr, Clearlake Oaks CA, also known as Assessor's Parcel Number 035-152-65, and owned by John Danuck be confirmed and the Enforcement Official be directed to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of \$10,453.74 pursuant to Lake County Ordinance Code Chapter 13, Section 13-43. The motion carried by the following vote:

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

- 8.6** 10:00 A.M. - Consideration of Action to Disburse Existing Abandoned Vehicle Funding and to Continue Collection of the \$1.00 Abandoned Vehicle Abatement Fee

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

Chair Smith asked if anyone present wished to speak and the following people spoke: Margaret Silveira - Lakeport City Manager and Greg Folsom - Clearlake City Manager. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Brown, and by vote of the Board, authorized that the accumulated funding collected through December 31, 2016 to be distributed to support vehicle abatement efforts in the cities and County, subject to the satisfaction of the Commissions fiscal obligations (e.g. establish a budget and conduct an audit). The motion carried by the following vote:

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

On motion of Supervisor Brown, and by vote of the Board, authorized the continued collection and distribution of AVA funding absent voter consideration. The motion carried by the following vote:

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

9. Non-Timed Items

- 9.1** Supervisors' weekly calendar, travel and reports

- 9.2** Consideration of Resolution Establishing the Middle Region Town Hall for the Lucerne Area

Supervisor Steele presented the item to the Board, noting an amendment he would like to make to the Resolution's 1st paragraph, 2nd sentence. County Counsel Anita Grant confirmed said amendment.

Chair Smith asked if anyone present wished to speak. No one wished to speak and the public input portion

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

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

Enactment No: Resolution No. 2017-05

- 9.3 (SECOND READING) - Consideration of an Ordinance Establishing Article XXVIII in Chapter 2 of the County Code Providing the Authority and Procedures for Adopting and Administering a Master Fee Schedule**

**Supervisor Brown offered the Ordinance and it was passed by roll call vote:
Ayes: Supervisors Simon, Steele, Scott, Brown and Smith**

Enactment No: Ordinance No. 3056

- 9.4 Consideration of Auditor-Controller/County Clerk Request to Temporarily Modify Front Counter Hours of Operation**

Auditor-Controller/County Clerk Cathy Saderlund was live via telephone and 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 Steele, and by vote of the Board, approved request to modify front office counter hours to 9:00 a.m. - 12:00 p.m. and 1:00 p.m. - 4:00 p.m., through June 30, 2017. The motion carried by the following vote:

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

- 9.5 Consideration of Proposed Findings of Fact and Decision in the Appeals of Hidden Valley Lake Watershed (Elizabeth Montgomery) - AB 16-04, AB 16-08**

County Counsel Anita Grant presented the item to the Board, calling attention to a few typographical errors.

Chair Smith asked if anyone present wished to speak on this item and Joan Moss spoke. 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 Findings of Fact (as amended) and authorized the Chair to Sign. The motion carried by the following vote:

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

On motion of Supervisor Simon, and by vote of the Board, denied the appeal. The motion carried by the following vote:

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

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

- 9.6** Consideration to (a) waive the the normal Bidding Requirements Ordinance #2406, Section 38.2 for the Purchase and Reconditioning of Two (2) Used Kenworth T-800 Dump-Trucks for County Road Mainetnace and (B) Authorize the Public Works Director/Assistant Purchasing Agent to issue to issue a purchase order not to exceen \$149,591 to Opperman& Sons, Inc. for the two used chassis, and a purchase order not to exceed \$65,650.96 to Dietz Equipment for the reconditioning of the dump beds.

Public Works Director Scott DeLeon 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 Steele, and by vote of the Board, (a) Waived the normal Bidding Requirements Ordinance #2406, Section 38.2 for the Purchase and Reconditioning of Two (2) Used Kenworth T-800 Dump-Trucks for County Road Maintenance; and (b) Authorized the Public Works Director/Assistant Purchasing Agent to issue a purchase order not to exceed \$149,591 to Opperman & Sons, Inc. for the two used chassis, and a purchase order not to exceed \$65,650.96 to Dietz Equipment for the reconditioning of the dump beds. The motion carried by the following vote:

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

10. Closed Session

Chair Smith 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, C. Huchingson, K. Ferguson and S. Jansen; and (b) Employee Organizations: DDAA, DSA, LCCOA, LCEA and LCSEA

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

This item was continued to January 24, 2017.

- 10.3** Conference with legal counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(d)(1): Lake County Correctional Officers Association v. County of Lake, et al.

The Board reconvened into Regular Session at 10:16 a.m. having taken no action.

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 10:16 a.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: 
Alicia Flores
Assistant Clerk of the Board


Chair-Lake County Board of Supervisors

