



# COUNTY OF LAKE

255 North Forbes Street  
Lakeport, CA 95453

## Meeting Minutes - Final BOARD OF SUPERVISORS

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Tuesday, June 27, 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.*

### 3. Pledge of Allegiance

*Led by Carol Huchingson.*

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

*Animal Care and Control Officer Jonathan Armas presented one canine available for adoption. Officer Holly Bray was also present.*

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

*There were no extra items to present.*

### 6. Current Construction Projects - Contract Change Orders

*There were no contract change orders to present.*

### 7. Approval of the Consent Agenda

- 7.1 Adopt Resolution Expressing Support for the Lower Lake High School Homecoming Parade

Enactment No: Resolution No. 2017-76

- 7.2 (Sitting as Lake County Air Quality Management District, Board of Directors) - Adopt Resolution Authorizing Participation in "Year 19" Carl Moyer Program, and Authorizing the APCO to Submit Grant Application and Sign Program Documents

Enactment No: Resolution No. 2017-77

- 7.3** Adopt Resolution pertaining to Tax Revenue Exchange for Annexation to County Service Area No. 6 – Finley Water (Annexation – LAFCO Project #2016-04)

Enactment No: Resolution No. 2017-78

- 7.4** Approve the Third Amendment to the Agreement between the County of Lake and Victor Treatment Centers, Inc. for Children’s Specialty Mental Health Services for Fiscal Year 2016-17 for an increase of \$32,000 for a new contract amount of \$187,000; and authorize the Chair to sign
- 7.5** Approve the Third Amendment to the Agreement between the County of Lake and Mountain Valley Child and Family Services for Fiscal Year 2016-17 for an increase of \$6,300 for a new contract maximum of \$61,300; and authorize the Chair to sign
- 7.6** Approve the First Amendment to the Agreement between the County of Lake and Davis Guest Home for Adult Residential Support Services for Fiscal Year 2016-17 for an increase of \$18,424 for a new contract maximum of \$54,194 and authorize the Chair to sign
- 7.7** Approve the First Amendment to the Agreement between the County of Lake and Lake County Office of Education for School-Based Medi-Cal Specialty Mental Health Services for Fiscal Year 2016-17 for a decrease of \$100,000 for a new contract maximum of \$590,000 and authorize the Chair to sign
- 7.8** Approve the First Amendment to the Agreement between the County of Lake and North American Mental Health Services for TelePsychiatry Services for Fiscal Year 2016-17 an increase of \$92,000 for a new contract maximum of \$392,000; and authorize the Chair to sign
- 7.9** Approve the First Amendment to the Agreement between the County of Lake and Lake County Office of Education for School-Based Medi-Cal Specialty Mental Health Services for Fiscal Year 2016-17 for a decrease of \$50,000 for a new contract maximum of \$200,000 and authorize the Chair to sign
- 7.10** Approve First Amendment to Agreement between the County of Lake and Calserve, Inc. for Professional Services for FY 2017/2018 in an amount not to exceed \$25,000 per year; and authorize the Chair to sign
- 7.11** Approve Long Distance Travel July 16, 2017 Through July 22, 2017 to Anniston, Alabama for Pheakdey Preciado, Environmental Health Specialist III, Environmental Health Division
- 7.12** Approve Long Distance Travel July 24, 2017 through July 26, 2017 to Alexandria, VA for Jessica Hamner, Program Coordinator, Public Health Division

- 7.13** Adopt Resolution Approving a Request from County of Lake Health Services Department to Submit a Renewal Application for the California Department of Public Health Immunization Assistance Grant Program (IAP) for Fiscal Years 2017/2018 Through 2021/2022 in the Amount of \$197,715 and Authorizing the Director of Health Services to Sign

Enactment No: Resolution No. 2017-79

- 7.14** (a) Waive the formal bidding process, pursuant to Lake County Code Section 38.2, as it is not in the public interest due to the unique nature of goods or services; and (b) Approve Agreement between the County of Lake and Stearns, Conrad and Schmidt, Consulting Engineers DBA/SCS Field Services not to exceed \$107,000; and authorize the Chair to sign.
- 7.15** Approve Amendment Seven to Agreement between the County of Lake and Quincy Engineering, Inc. for Four (4) Bridge Replacement Projects and Two (2) Bridge Rehabilitation Projects for an increase of \$10,370.36 and a contract amount of \$1,364,007.46; and authorize the Chair to sign
- 7.16** Approve Contract between County of Lake and Symmetric Solutions for Homeless Study in the Amount of \$38,300 beginning July 1, 2017 through September 30, 2017; and authorize the Chair to sign.
- 7.17** Approve Long Distance Travel for Section 8 Program Manager Edgar Perez to Attend the Nan McKay Housing Conference in Boston, Massachusetts, August 21-22, 2017.

On motion of Supervisor Steele, and by vote of the Board, approved Consent Agenda items 7.1 through 7.17. 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**

*Phil Murphy spoke.*

### **8.2 9:16 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to Wildfire Conditions, pertaining to the Rocky, Jerusalem and Valley Fires**

*Undersheriff Chris Macedo 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 the Continuation of a Proclamation of a Declaration of a Local Emergency due to Wildfire Conditions, pertaining to the Rocky, Jerusalem and Valley Fires. The motion carried by the following vote:

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

**8.3 9:17 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to Clayton Fire**

*Undersheriff Chris Macedo 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, approved the Continuation of a Proclamation of a Declaration of a Local Emergency due to Clayton Fire. The motion carried by the following vote:**

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

**8.4 9:18 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to the Atmospheric River Storm**

*Undersheriff Chris Macedo 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, approved the Continuation of a Proclamation of a Declaration of a Local Emergency due to the Atmospheric River Storm. The motion carried by the following vote:**

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

**8.5 9:20 A.M. - (Sitting as the Lake County Board of Housing Commissioners) - Consideration of Approval of the Revised Lake County Housing Commission Section 8 Housing Choice Voucher Program Budget for Fiscal Year 2016/2017, Providing Staff with a Minute Order.**

*The Board of Supervisors adjourned and convened as the Lake County Housing Commission. Commissioner Deborah Figueroa was present.*

*Social Services Director Crystal Markytan presented the item to the Board. Program Manager Edgar Perez was also present.*

*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 Commissioner Brown, and by vote of the Board, approved the Revised Lake County Housing Commission Section 8 Housing Choice Voucher Program Budget for Fiscal Year 2016/2017, providing Staff with a Minute Order. The motion carried by the following vote:**

**Ayes: Commissioners Figueroa, Simon, Steele, Scott, Brown and Smith**

- 8.6** 9:21 A.M. - (Sitting as the Lake County Board of Housing Commissioners) - Consideration of Approval of the Lake County Housing Commission Section 8 Housing Choice Voucher Program Budget for Fiscal Year 2017/2018, Providing Staff with a Minute Order.

*Social Services Program Manager Edgar Perez presented the item to the Board. Director Crystal Markytan was also present.*

*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 Commissioner Brown, and by vote of the Board, approved the Lake County Housing Commission Section 8 Housing Choice Voucher Program Budget for Fiscal Year 2017/2018, providing Staff with a Minute Order. The motion carried by the following vote:**

**Ayes: Commissioners Figueroa, Simon, Steele, Scott, Brown and Smith**

**The Lake County Housing Commission adjourned and reconvened as the Board of Supervisors.**

- 8.7** 9:30 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance Amending Article 72 of the Lake County Code to Allow the Outdoor Collective Cultivation of Medical Cannabis in "RL" Rural Lands and to Create a Certification of Compliance Process for Cannabis Cultivation

*Community Development Director Bob Massarelli presented the item to the Board. Associate Planner Mireya Turner was also present and spoke. A Power Point presentation was given.*

*Chair Smith opened the public hearing and the following people spoke: Mike Mitzel, Paul Bernachio, Stephen, Michael Green, Mary Jane Montana, George Lalones, Mary Draper, Victoria Brandon, Richard Dem, Annette Hopkins, Chris Jennings, Brian Valentine, Brenda Price, Lance Williams, Joan Moss, Tony Perkins and Undersheriff Chris Macedo. No one else wished to speak and Chair Smith closed the public hearing.*

**On motion of Supervisor Steele, and by vote of the Board, approved to continue the meeting on August 1, 2017 at 10:00 a.m.. The motion carried by the following vote:**

**Ayes- Supervisors: 4 - Smith, Steele, Brown and Scott**

**Nayes- Supervisors: 1 - Simon**

## **9. Non-Timed Items**

### **9A Supervisors' weekly calendar, travel and reports**

#### **9.1 Informational Presentation from Hope Rising**

**This item was continued to July 11, 2017 at 9:45 a.m.**

**9.2 Consideration of Amendment No.1 to the Lease Agreement between the County of Lake and the Middletown Senior Citizens, Inc., for Lease of Buildings and Grounds located at 21256 Washington Street, Middletown, California**

*Supervisor Simon 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, approved Amendment No.1 to the Lease Agreement between the County of Lake and the Middletown Senior Citizens, Inc., for Lease of Buildings and Grounds located at 21256 Washington Street, Middletown, California, and authorized the Chair to sign. The motion carried by the following vote:**

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

**9.3 Consideration of Ordinance Change to Permit Tiny Homes as Primary Residences and Possible Direction to Staff**

*Supervisor Simon presented the item to the Board. Community Development Director Bob Massarelli was present and gave a PowerPoint presentation. Associate Planner Mireya Turner was present and spoke.*

*Chair Smith asked if anyone present wished to speak and the following person spoke: Joan Moss.*

**No action was taken. The Community Development Department will come back at a future meeting with additional information on Tiny Homes.**

**9.4 Consideration of Resolution Establishing the Western Regional Town Hall known as "WRTH" for the Upper Lake, Blue Lakes, and Lake Pillsbury Areas**

*Supervisor Steele 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.*

**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. 2017-80

**9.5 Consideration of a Resolution of Support for the Berryessa Snow Mountain National Monument**

*Victoria Brandon 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.*

**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. 2017-81

## 9.6 Consideration of Request for Board Direction Regarding Future Use of the Lucerne Castle

County Administrative Officer Carol Huchingson presented the item to the Board. Deputy County Administrative Officer Michelle Scully was also present and spoke.

Chair Smith asked if anyone present wished to speak and the following people spoke: John Jensen, Victoria Brandon and Le Ann Harvey. No one else wished to speak and the public input portion of this item was closed.

Direction was given to staff for the following actions: (a) obtain a quote for an appraisal on the Castle to determine the current value; (b) establish a timeline for decision making regarding the future of the Castle; (c) put together information regarding the cost of the building while vacant, leased or sold; (d) bring back the item on July 11, 2017 for consideration of a follow up letter regarding Marymount California University's (MCU) intentions; and (e) meet with the Friends of MCU for future recommendations of use.

## 9.7 Consideration of the Following Appointment: Public Defender Oversight Committee

County Administrative Officer Carol Huchingson 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, appointed Steve Brookes to the Public Defender Oversight Committee. The motion carried by the following vote:

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

## 9.8 Consideration of the Award of Bid for the Harbin Springs Road at Harbin Creek Bridge Replacement Project; Bid No. 17-04, Federal Aid Project No: BRLO-5914(106) in the amount of \$1,092,803.60; and authorize the Chair to sign the Agreement and execute the Notice of Award

Public Works Principal Civil Engineer Fred Pezeshk presented the item to the Board. A bid protest was received on Friday June 23, 2017 and the County has 48 hours to respond. The department is asking the Board to continue the item to July 11, 2017.

The Agenda Item was continued to July 11, 2017.

## 10. Closed Session

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

### 10.1 (Continued from June 20, 2017) - Closed Session pursuant to Revenue and Taxation Code section 1605.4 for Local Board of Equalization deliberations as to Assessment Appeal of Princess Margaret LLC c/o Leland Kraemer, 950 Waugh Lane, Ukiah, CA. Application No. 15-010 (Mendocino County), Assessor's Parcel No. 003-150-00-03; announcement of tentative decision

Continued to July 11, 2017

**10.2** Conference with Legal Counsel: Existing Litigation Pursuant to Gov. Code sec. 54956.9(d)(1): Lakeside Heights HOA, et al. v. County of Lake, et al.

On motion of Supervisor Steele, and by vote of the Board, approved the settlement with Lakeside Heights HOA in the amount of \$4,500,000. The motion carried by the following vote:

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


**10.3** Public Employee Evaluations

Title: Community Development Director  
Behavioral Health Administrator

**11. Adjournment**

*There being no further business, the Board of Supervisors adjourned at 4:22 p.m.*

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

By:   
Carolyn Purdy  
Assistant Clerk of the Board

  
Chair Lake County Board of Supervisors

