



# COUNTY OF LAKE

255 North Forbes Street  
Lakeport, CA 95453

## Meeting Minutes - Draft BOARD OF SUPERVISORS

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Tuesday, November 15, 2016

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 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 dedicated to Joan Lininger.*

### 3. Pledge of Allegiance

*Led by Kevin Tighe.*

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

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

### 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

7.1 Approve Letter of Support for Lake County Law Library and Authorize the Chair to sign.

7.2 Adopt Resolution Pertaining to Tax Revenue Exchange for Annexation to County Service Area No.2 – Spring Valley Water System (Annexation – LAFCO Project # 2016-01)

Enactment No: Reso No. 2016-174

- 7.3** Approve Leave of Absence Request for Selena Jackson, Substance Abuse Counselor, from November 1, 2016 to November 28, 2016 or until such time as the Behavioral Health Department has completed a recruitment and is ready to make an offer of employment to fill the position, whichever date is sooner.
- 7.4** Approve Budget Transfer for purchase of new phone system for Child Support Services in the amount of \$6,380
- 7.5** Approve Resolution of the Board of Directors, Lake County Fire Protection District, Calling a Special Election on March 7, 2017 for the Purpose of Imposing a Special Tax Increase for Fire Protection and Prevention, Rescue, Emergency Medical Services and Transportation, Hazardous Material, and Other Services Related to the Protection of Lives and Property
- 7.6** Adopt Resolution Authorizing the Director, Public Works Department, to Sign a Notice of Completion for Work Performed Under Agreement Dated June 21, 2016 for Lake County Fire Damage Metal Beam Guard Rail Replacement Bid No. 15-17
- Enactment No: Reso No. 2016-175
- 7.7** Approve the First Amendment to Agreement between the County of Lake and County of Mendocino to provide technical services for Lake County radio systems to increase reimbursable rates for technical services and support; and authorize the Chair to sign.
- 7.8** (Sitting as the Board of Directors, Lake County Watershed Protection District) Approve Amendment Five to the Agreement between Lake County Watershed Protection District and Paragon Partners Ltd., for Appraisal and Relocation Assistance Services for the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, for an increase not to exceed \$11,472.52 and a new contract amount of \$138,072.52; and authorize the Chair to sign.

On motion of Supervisor Smith, and by vote of the Board, approved Consent Agenda items 7.1 through 7.8. The motion carried by the following vote:

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

## **8. Timed Items**

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

*There was no public input.*

### **8.2 9:06 A.M. - Swearing in ceremony for new Correctional Officers Nicholas Yamamoto and Kristina Tighe.**

*Sheriff Brian Martin introduced and administered the Oath of Office to Correctional Officers Nicholas Yamamoto and Kristina Tighe. Many family members were present for the ceremony.*

**Ceremonial Item only.**

**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 Director Dr. Karen Tate presented the item to the Board. Dr. Tait asked that the Board continue the health emergency through the end of the debris removal process. Environmental Health Director Ray Ruminski was present and spoke. Mr. Ruminski stated that 89 of the Clayton Fire lots have been cleared, and 52 additional lots were scheduled. Soil sample results are being processed at this time. Ten teams are working with the 52 remaining lots and should be complete a few weeks after the Thanksgiving holiday. A total of 42 private clean ups are complete. There are a total of 15 lots that have not done anything to date and are potential abatement candidates.*

*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. The motion carried by the following vote:**

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

**8.4 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**

*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 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 - Comstock, Smith, Steele, Farrington and Brown

**8.5 9:17 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to 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 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 - Comstock, Smith, Steele, Farrington and Brown

**8.6 9:20 A.M. - Consideration and Discussion of Possible Steps to be Taken Pertaining to Fire Hazard Mitigation**

*Chair Brown presented the item to the Board.*

*Chair Brown asked if anyone present wished to speak and the following people spoke: Fire Chief Jay Beristianos, Tom Nixon, Greg Scott, Cathy Andre. No one else wished to speak and the public input portion of this item was closed.*

**No action taken.**

**8.7 9:30 A.M. ASSESSMENT APPEAL HEARING - (Sitting as the Lake County Local Board of Equalization):  
Leontine Oberg - Application No. 21-2014 - 11033 Crestview Drive, Clearlake Park, CA, 95422 (APN 036-231-150)**

*All parties related to this hearing were sworn in by Assistant Clerk of the Board.*

*Assessor-Recorder Richard Ford and Chief Deputy Assessor-Recorder Debbie Olson presented the item to the Board. The Board confirmed timely notification of the hearing.*

*Chair Brown asked if there was anyone present representing Leontine Oberg. No one was present for the hearing.*

**On motion of Member Steele, and by vote of the Board, denied without prejudice the assessment appeal for Leontine Oberg- Application No. 21-2014 - 11033 Crestview Drive, Clearlake Park, CA, 95422 (APN 036-231-150). The motion carried by the following vote:**

**Ayes: Members Comstock, Smith, Steele, Farrington and Brown**

**8.8 9:35 A.M. - (a) Consideration of Protest by Unity Adjustments of California, Inc., to Consultant Selection Board (CSB) Recommendation of Top Proposer to Request for Proposals (RFP) for Rocky, Jerusalem and Valley Wildfires Tree & Structural Burn Debris Removal Insurance Cost Recovery Invoicing; and (b) Approve Agreement with Tetra Tech, Inc., for Rocky, Jerusalem and Valley Wildfires Tree & Structural Burn Debris Removal Insurance Cost Recovery Invoicing in the amount of \$993,763.94**

*County Administrative Officer Carol Huchingson presented the item to the Board. Environmental Health Director Ray Ruminski was present. Robert Riggs from Unity Adjustments of California, Inc. was present and gave a PowerPoint presentation. Sean Smith from the Governor's Office of Emergency Services was present and spoke. Public Services Director Lars Ewing spoke. Auditor-Controller Cathy Saderlund spoke.*

*Chair Brown asked if anyone present wished to speak and the following people spoke: Jeanne Kostin, Bob Ellenburg (Unity), Janice Irwin, Carolyn Spezza, Pamela Harpster, James Lee, Phil Skyles, Terry Holmes, Mark Rudigear, Brian McGowan (Tetra Tech). No one else wished to speak and the public input portion of this item was closed.*

**No action was taken**

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

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

- 9.2** 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 the Agreement between the County of Lake and Redwood Community Services, Inc. for the Lake County Wrap Program, Foster Care Program and Intensive Treatment Foster Care (ITFC) Program for Fiscal Year 2016-17 for a contract maximum of \$550,000; and authorize the Chair to sign.

*Interim Behavioral Health Director Kevin Thompson 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, waived 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. 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 the Agreement between the County of Lake and Redwood Community Services, Inc. for the Lake County Wrap Program, Foster Care Program and Intensive Treatment Foster Care (ITFC) Program for Fiscal Year 2016-17 for a contract maximum of \$550,000; and authorized the Chair to sign. The motion carried by the following vote:**

**Ayes: Supervisors Comstock, Smith, Steele, Farrington and Brown**

**9.3 Consideration of Board appointment to CSAC Board of Directors for 2017**

*County Administrative Officer Carol Huchingson 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, appointed Supervisor Steele to the CSAC Board of Directors and appointed incoming Supervisor Scott as an alternate. The motion carried by the following vote:**

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

**Absent- Supervisors: 1 - Farrington**

**9.4 Consideration of the Following Appointments:  
Lower Lake Cemetery District Board of Trustees**

*Chair Brown 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, appointed Bob Minenna to the Lower Lake Cemetery District Board of Trustees. The motion carried by the following vote:**

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

**9.5 Consideration of Request to Underfill Chief Building Official Position**

*Community Development Director Bob Massarelli 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 request to underfill the Chief Building Official position. The motion carried by the following vote:**

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

**9.6 Consideration of Approval of Agreement Between the County of Lake and California Association of Environmental Health Administrators (CAEHA) in the Amount of \$60,700 for Professional Debris Cleanup Services Due to the Clayton Fire and Request Permission from the Board to Waive the Normal Competitive Bidding Process**

*This item was continued to November 22, 2016 at the request of staff.*

**No action taken.**

**9.7 Consideration of Approval of side letter with Lake County Correctional Officers Association (LCCOA) temporarily allowing four-day twelve hour shifts and an increase in the cap for Compensatory Time Off (CTO) and authorize the Board Chair to sign the side letter.**

*Human Resources Director Kathy Ferguson 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 side letter with Lake County Correctional Officers Association (LCCOA) temporarily allowing four-day twelve hour shifts and an increase in the cap for Compensatory Time Off (CTO) and authorize the Board Chair to sign the side letter. The motion carried by the following vote:**

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

**Absent- Supervisors: 1 -** Farrington

**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 Public Employee Appointment pursuant to Gov. Code Section 54957(b)(1): Appointment of Behavioral Health Director**

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

*The Board reconvened into Regular Session at 2:20 p.m. having taken no action.*

## 11. Adjournment

*There being no further business, the Board of Supervisors adjourned at 2:20 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