



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, November 17, 2020

9:00 AM

Board Chambers

Please see agenda for public participation information and eComment submission on any agenda item.

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Simon. County Administrative Officer Carol Huchingson, County Counsel Anita Grant, and Assistant Clerk of the Board Johanna DeLong were present, along with the following Supervisors:

Present: Supervisor Sabatier, Supervisor Crandell, Supervisor Scott, Supervisor Brown and Chair Simon

2. Moment of Silence

A moment of silence was observed.

3. Pledge of Allegiance

Led by Supervisor Brown.

4. Consideration of Extra Items Not Appearing on the Posted Agenda

- 4.1 EXTRA ITEM: (a) Consideration of "extra" agenda item, and, (b) Consideration of Letter to Governor Newsom requesting review of actions announced yesterday to curb COVID-19 transmission

Supervisor Sabatier presented the item to the Board. Public Health Officer Dr. Gary Pace, Special Districts Administrator Jan Coppinger, County Administrative Officer Carol Huchingson spoke.

Chair Simon asked if anyone present wished to speak and the following people present in the Board of Supervisors Chambers spoke: Val Lancaster and Mike Rafanelli. No one else wished to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Brown, and by vote of the Board, approved to take this item up as an extra, as there is a need to take immediate action and the need for action came to attention of the County subsequent to the agenda being posted. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

(b) On motion of Supervisor Sabatier, and by vote of the Board, approved Letter to Governor Newsom requesting review of actions announced yesterday to curb COVID-19 transmission. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

5. Approval of the Consent Agenda

5.1 Approve the early release of one member of the Lucerne Area Town Hall (LATH)

Supervisor Crandell presented the item to the Board.

Chair Simon asked if anyone present wished to speak and the following person spoke via Zoom: Elizabeth Larson. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Crandell, and by vote of the Board, approved the early release of one member of the Lucerne Area Town Hall (LATH). The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

5.2 Ratify Second Side Letter Agreement with County of Lake Deputy Sheriff's Association Regarding Amendment to the 2019 MOU

5.3 Approve Amendment to the COUNTY OF LAKE COVID-19 PUBLIC HEALTH EMERGENCY Return to Work – Worksite Protection Protocol

County Administrative Officer Carol Huchingson introduced the item to the Board. Human Resources Director Pam Samac presented the item to the Board.

Chair Simon asked if anyone present wished to speak and the following person present in the Board of Supervisors Chambers spoke: Mike Rafanelli. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Crandell, and by vote of the Board, approved amendment to the COUNTY OF LAKE COVID-19 PUBLIC HEALTH EMERGENCY Return to Work – Worksite Protection Protocol. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

5.4 (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 the Agreement between the County of Lake and Redwood Community Services, Inc. Tule House for Substance Abuse Block Grant (SABG) Eligible Substance Use Disorder (SUD) Perinatal Residential Services for Fiscal Year 2020-21, for an amount not to exceed \$50,000.00 and authorize the Board Chair to sign the Agreement.

5.5 (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 the Agreement between the County of Lake and Redwood Community Services, Inc. Tule House for Drug Medi-Cal (DMC) Eligible Substance Use Disorder (SUD) Perinatal Residential Services for Fiscal Year 2020-21, for an amount not to exceed \$150,000.00 and authorize the Board Chair to sign the Agreement.

- 5.6** (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 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 2020-21 for a contract maximum of \$100,000 and authorize the Board Chair to sign the Agreement.
- 5.7** (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 Social Service Data Solutions, Inc. DBA Decipher HMIS and Impact Homelessness Project for the Coordination of Activities involved in the Compliance with the Lake County Continuum of Care Homeless Management Integration Software for Fiscal Year 2020-21 for a contract maximum of \$54,300.00 and authorize the Board Chair to sign the Agreement.
- 5.8** Adopt Resolution Approving the Standard Agreement between County of Lake and the Department of Housing and Community Development in the Amount of \$560,227.00 and Authorize the Board Chair to Sign the Agreement.

Enactment No: Resolution No. 2020-159

- 5.9** Approve Addendum No. 3 to the Commercial Lease Agreement between the County of Lake and Bruno's Property Management to allow for the additional lease of attached property at the 6302 Thirteenth Avenue, Lucerne, California and authorize the Board Chair to sign.
- 5.10** Adopt Resolution to Amend the Budget for FY 2020-2021 by Appropriating Unanticipated Revenue for Public Health Services and authorize the Health Services Director to sign necessary documents to secure these funds

Enactment No: Resolution No. 2020-160

- 5.11** Adopt Resolution Amending Resolution 2020-134 Establishing Position Allocations for Fiscal Year 2020-21, Budget Unit No.4011, Public Health

Enactment No: Resolution No. 2020-161

- 5.12** Approve the Continuation of a Local Health Emergency and Order Prohibiting the Endangerment of the Community through the Unsafe Removal, Transportation, and Disposal of Fire Debris for the Mendocino Complex Fire.

Environmental Health Director Craig Wetherbee presented the item to the Board. County Counsel Anita Grant and Denise Pomeroy spoke.

Chair Simon asked if anyone present wished to speak. No one wished to speak and the public input portion of this item was closed.

Report Only.

- 5.13** Approve the Continuation of a Local Health Emergency Related to the 2019 Coronavirus (COVID-19) as Proclaimed by the Lake County Public Health Officer

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

Chair Simon asked if anyone present wished to speak and the following person present in the Board of Supervisors Chambers spoke: Mike Rafanelli. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Sabatier, and by vote of the Board, approved the Continuation of a Local Health Emergency Related to the 2019 Coronavirus (COVID-19) as Proclaimed by the Lake County Public Health Officer The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

- 5.14** (a) Authorize the Public Services Director / Assistant Purchasing Agent to issue a purchase order not to exceed \$65,000 to Leete Generators for a portable diesel generator, including installation; and (b) Approve Budget Transfer in Budget Unit 4011, Health Services Department, Public Health Division to Object Code 62-74, to purchase and install a backup generator in the amount of \$65,000
- 5.15** Approve the Continuation of Resolution Ratifying the Declaration of Local Health Emergency and Order Prohibiting the Endangerment of the Community through the Unsafe Removal, Transport, and Disposal of Fire Debris for the LNU Complex Wildfire
- 5.16** Approve the Continuation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires).
- 5.17** Approve the Continuation of a Local Emergency due to the Pawnee Fire Incident.
- 5.18** Approve the Continuation of a Local Emergency due to COVID-19

Chair Simon introduced the item to the Board.

Chair Simon 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 Sabatier, and by vote of the Board, approved the Continuation of a Local Emergency due to COVID-19. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

- 5.19** Approve the Continuation of a Local Emergency In Lake County in Response to the LNU Lightning Complex Wildfire Event
- 5.20** (Sitting as the Board of Directors, Lake County Watershed Protection District) Consideration and approval of joint funding agreement with the U.S. Geological Survey, U.S. Dept. of the Interior (USGS) for annual maintenance of the Kelsey Creek flow gauge station in the amount of \$14,430 and authorize the Chair to sign

- 5.21** (Sitting as the Board of Directors for the Lake County Watershed Protection District) (a) Waive the formal bidding process, pursuant to Lake County Code Section 38.2 (2) & (3), as it is not in the public interest due to the unique nature of the goods or services and its determined that competitive bidding would produce no economic benefit to the County. (B) Approve the Agreement between the County of Lake and EOA, Inc. environmental consulting firm in the amount of \$104,000 to provide assistance to meet NPDES storm water permit and TMDL compliance and to authorize the Chair of the Board of Directors to sign the Agreement
- 5.22** (Sitting as the Board of Directors for the Lake County Watershed Protection District) Approve the reimbursement agreements between the District and (a) the City of Lakeport and the (b) City of Clearlake to provide reimbursement for TMDL and storm water program services and to authorize the Chair of the Board of Directors to sign the Agreements.
- 5.23** Approve Amendment One to Agreement between the County of Lake and Quincy Engineering, Inc. for Engineering Services for Hill Road MP 7.75 Landslide Repair Project in Lake County CA

Supervisor Scott introduced the item to the Board. Public Works Director Scott De Leon presented the item to the Board.

Chair Simon 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 Amendment One to Agreement between the County of Lake and Quincy Engineering, Inc. for Engineering Services for Hill Road MP 7.75 Landslide Repair Project in Lake County CA. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

- 5.24** Approve Amendment Two to the Agreement between the County of Lake and Quincy Engineering, Inc. for Engineering Services for Replacement of Cooper Creek Bridge at Witter Springs Road (14C-0119) in Lake County, CA
- 5.25** Approve additional leave of absence that extends beyond Department Leave and County Administrative Officer approved leave for Shirah Ruiz from 11/12/2020 through 1/4/2021 and authorize the Board of Supervisors Chair to sign the request

On motion of Supervisor Sabatier, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.25 with the exception of 5.1, 5.3, 5.12, 5.13, 5.18, and 5.23 which were pulled for further discussion. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

6. Timed Items

6.1 9:01 A.M. - PUBLIC INPUT

There was no public input.

6.2 9:05 A.M. - Consideration of Update on COVID-19

Public Health Officer Dr. Gary Pace presented the item to the Board.

Chair Simon asked if anyone present wished to speak and the following people present in the Board of Supervisors Chambers spoke: Val Lancaster, Tara Prince, and Christine Laurmt. No one else wished to speak and the public input portion of this item was closed.

Report Only.

6.3 10:00 A.M. - PUBLIC HEARING - Discussion/Consideration to Name an Existing Unnamed Road Located off Jerusalem Grand in Middletown Area - Psi Keep Ranch Road

Public Works Director Scott De Leon presented the item to the Board. County Surveyor Gordon Haggitt, County Counsel Anita Grant, and Assistant Clerk of the Board Johanna DeLong spoke.

Chair Simon asked if anyone present wished to speak and the following person present in the Board of Supervisors Chambers spoke: Christine Laurenberger. The following person spoke via Zoom: Glo Anderson. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Sabatier, and by vote of the Board, approved the name change located off Jerusalem Grade in Middletown area to Psi Keep Ranch Road. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

6.4 10:30 A.M. - Discussion of Proposition 64 Draft Cannabis Equity Assessment and Funding For Equity Program

Tax Administrator Patrick Sullivan introduced the item to the Board. Dawn Arledge presented the item to the Board. Dominic Corva spoke.

Chair Simon asked if anyone present wished to speak and the following person spoke via Zoom: Michael Green. The following person present in the Board of Supervisors Chambers spoke: Lance Williams. No one else wished to speak and the public input portion of this item was closed.

Direction was given to staff to return with a resolution.

6.5 10:45 A.M. - Consideration of Ordinance allowing Microenterprise Home Kitchen Operations with a Pilot Program

Supervisor Sabatier presented the item to the Board. Environmental Health Director Craig Wetherbee, Health Services Director Denise Pomeroy, and County Counsel Anita Grant spoke.

Chair Simon asked if anyone present wished to speak and the following people spoke via Zoom: Chef Robertson and Elizabeth Larson. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Sabatier, and by vote of the Board, waived the reading of the ordinance to have it read in title only. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

On motion of Supervisor Sabatier, advanced the Ordinance to December 1, 2020. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

6.6 11:15 A.M. - October 6, 2020 continuance of Hearing on Account and proposed Assessment for the property 12942 Second St., Clearlake Oaks, CA

Community Development Director Scott De Leon presented the item to the Board. Code Enforcement Officer Marcus Beltramo and County Counsel Anita Grant spoke.

Chair Simon 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 Crandell, and by vote of the Board, confirmed the assessment of \$5,834.46 and directed staff to Record a Notice of Lien against the property. The motion carried by the following vote:

Ayes- Supervisors: 4 - Crandell, Scott, Brown, and Simon

Nays- Supervisor: 1 - Sabatier

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 (a) Discussion and Possible Direction to Staff Regarding Friday Closures; (b) Consideration of a Resolution Extending Friday Closures through March 31, 2021, in Light of COVID-19 and Expected Effects of the 2020-21 Flu Season

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

Chair Simon asked if anyone present wished to speak and the following people spoke via Zoom: Mary Benson, Heidi Johnson, and Marsha Holder. No one else wished to speak and the public input portion of this item was closed.

Supervisor Sabatier offered the resolution and it was passed by roll call vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

Enactment No: Resolution No. 2020-162

7.3 Consideration of Proposed 2021 Board of Supervisors Regular Meeting Calendar

County Administrative Officer Carol Huchingson introduced the item to the Board. Administrative Analyst Carolyn Purdy presented the item to the Board.

Chair Simon 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 Sabatier, and by vote of the Board, approved Proposed 2021 Board of Supervisors Regular Meeting Calendar. The motion carried by the following vote:

Ayes- Supervisors: 4 - Sabatier, Crandell, Brown, and Simon

Absent- Supervisor: 1 - Scott

7.4 Consideration of Amendment Two to the Agreement between the County of Lake and the Kelseyville Motel for COVID-19 Emergency Isolation Housing and authorize the Chair to sign

Public Services director Lars Ewing presented the item to the Board.

Chair Simon 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 Amendment Two to the Agreement between the County of Lake and the Kelseyville Motel for COVID-19 Emergency Isolation Housing and authorized the Chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

8. Closed Session

Chair Simon announced that the Board would now go into Closed Session at 2:29 p.m. for the reasons stated on the agenda.

The Board reconvened into Regular Session at 2:55 p.m. having taken the following action on items 8.1 and 8.4:

At 2:56 p.m., the Board resumed closed session. Chair Simon had to excuse himself and was not present for the remainder of closed session. In addition, Supervisor Crandell recused himself for discussion of 8.5.

The Board reconvened into Regular Session at 4:22 p.m. having taken no further action.

**8.1 Public Employee Appointment Pursuant to Gov. Code Section 54957(b)
(1): Appointment of Special Districts Administrator**

On motion of Supervisor Sabatier, and by vote of the Board, appointed Scott Harter to Special Districts Administrator effective 12/2/20 at salary step 3. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

8.2 Public Employee Evaluations:
Title: County Administrative Officer
Title: Public Health Officer

8.3 Conference with Legal Counsel: Existing litigation pursuant to Government Code section 54956.9 (d)(1): City of Clearlake v. County of Lake, et al.

8.4 Conference with Legal Counsel: Significant Exposure to litigation pursuant to Government Code section 54956.9(d)(2)(e)(3)- Claim of Lillie

On motion of Supervisor Sabatier, and by vote of the Board, approved the payment of the claim of Don and Sondra Lillie in the amount of \$64,831.89. The motion carried by the following vote:

Ayes- Supervisors: 5 - Sabatier, Crandell, Scott, Brown, and Simon

8.5 Conference with Legal Counsel: Existing litigation pursuant to Government Code section 54956.9 (d)(1): Sabalone v. County of Lake

9. Adjournment

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

CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Johanna DeLong
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors