



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, September 19, 2023

9:00 AM

Board Chambers

FINAL BUDGET, continued from 9/12/23 - 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 Pyska. County Administrative Officer Susan Parker, County Counsel Lloyd Guintivano, and Senior Administrative Assistant Wendy Hoffman were present, along with the following Supervisors:

Present: Supervisor Simon, Supervisor Sabatier, Supervisor Crandell, Supervisor Green, and Chair Pyska

2. Moment of Silence

A moment of silence was dedicated to Kevin Mendez.

3. Pledge of Allegiance

Led by Sherry Treppa.

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

There were no extra items to consider.

5. Approval of the Consent Agenda

- 5.1 Approve the 2nd Amendment to 2019 Agreement Between the City of Clearlake, City of Lakeport and the County of Lake Relative to Operation of a Local Public, Educational, Governmental (PEG) Cable Television Channel, extending the term through June 30, 2025 and authorize the Chair to sign
- 5.2 Approve Letter of Support for Clearlake Grant Application for Reconnecting Communities Program
- 5.3 Adopt Proclamation Declaring September 22, 2023 as Native American Day in Lake County
- 5.4 (a) Waive the formal bidding process, pursuant to Lake County Code Section 38.1, as an extension of an annual agreement; and (b) Approve Amendment No. 5 to the Contract between County of Lake and Granicus, Inc. for Agenda Management and Government Transparency Services in the amount of \$26,723.43, and authorize the Chair to sign

This item was pulled and continued to a future date.

- 5.5** Adopt Resolution Approving MOU Between County of Lake and Lake County Resource Conservation District for Management of Goatsrue in Lake County for July 1, 2023, through June 30, 2025, in the amount of \$32,716.00

Enactment No: Resolution No. 2023-112

- 5.6** Adopt Proclamation Designating the Week of September 10, 2023 through September 16, 2023 as National Suicide Prevention Week.

- 5.7** Approve Lease between County of Lake and Berg Investments, LP for 13300 East Highway 20, Unit N, Clearlake Oaks for a term commencing on July 1, 2023 and ending on February 29, 2028 and Authorize the Behavioral Health Director to Sign

- 5.8** Approve Agreement Between County of Lake and Resource Development Associates for Consultation and Support in the Community Program Planning (CPP) Process for Fiscal Years 2023-24, 2024-25, 2025-26 in the amount of \$310,920 and Authorize the Board Chair to Sign

Behavioral Health Director Elise Jones pulled the item to be continued to a future date.

This item was pulled and continued to a future date.

- 5.9** Approve Amendment No. 2 to the Agreement Between Willow Glen Care Center for Adult Residential Support Services and Specialty Mental Health Services with no change to the Contract Maximum for Fiscal years 2022-25 and Authorize the Board Chair to Sign.

- 5.10** Approve the Continuation of the Proclamation Declaring a Shelter Crisis Urgency Due to the Current Need for Sheltering for Those Experiencing Homelessness during the Weather and Temperature Patterns that the County of Lake has Been Experiencing

Chair Pyska introduced the item to the Board. Behavioral Health Director Elise Jones spoke.

Chair Pyska 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 the Proclamation Declaring a Shelter Crisis Urgency Due to the Current Need for Sheltering for Those Experiencing Homelessness during the Weather and Temperature Patterns that the County of Lake has Been Experiencing. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 5.11** Approve Continuation of Proclamation declaring a Clear Lake Hitch Emergency

5.12 Approve Continuation of Proclamation of the Existence of a Local Emergency Due to Pervasive Tree Mortality.

Chair Pyska introduced the item to the Board.

Chair Pyska 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, Approved Continuation of Proclamation of the Existence of a Local Emergency Due to Pervasive Tree Mortality. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

5.13 Approve Continuation of an Emergency Declaration for Drought Conditions

5.14 Approve Continuation of a Local Emergency by the Lake County Sheriff/OES Director for the January 2023 Atmospheric River Event

5.15 Approve Continuation of Proclamation of the Existence of a Local Emergency Due to Low Elevation Snow and Extreme Cold

5.16 Adopt Proposed Resolution Authorizing Submittal of Application for the Illegal Dumping and Site Abatement Grant through CalRecycle, and authorize the Community Development Director to Sign All Grant Documents.

Enactment No: Resolution No. 2023-113

5.17 (a) Waive the competitive bidding procedures pursuant to Lake County Code Section 2-39.2 and Section 1.C.2 of the County’s Consultant Selection Policy; and (b) Approve Amendment One to Agreement for Investigative Services Between the Oppenheimer Investigations Group and the County of Lake increasing the contract amount by \$522, not to exceed \$30,522, and authorize the Chair to sign

5.18 Approve Supplemental Services Agreement Number 2 between the County of Lake and NCE for consulting services related to the Design of Road Rehabilitation Plans and authorize the Chair to sign the Agreement

5.19 Adopt Resolution Approving the Applications for Grant Funds Through the FAA Airport Improvement Program and Designating the Public Works Director as the County’s Authorized Representative

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

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

Supervisor Green offered the resolution as amended and it passed by roll call vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

Enactment No: Resolution No. 2023-114

- 5.20** Approve Purchase Orders for the Purchase of one (1) vehicle for the Central Garage Fleet and three (3) Capital Assets for the Road Department, and authorize the Public Works Director/Assistant Purchasing Agent to sign the Purchase Orders

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

Chair Pyska 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 purchase orders for one 2023 Ford F150 4x4 Pickup for the Central Garage Fleet to Downtown Ford utilizing the State of California contract in the amount of \$36,798.63, Two Fecon Masticator Heads for the Road Division of Public Works to Pape Machinery in the amount of \$59,416.50, and One Boss VTX Snow Plow for the Road Division of Public Works to DND Equipment Sales in the amount of \$12,694.06 and authorized the Public Works Director/ Assistant Purchasing Agent to sign the Purchase Orders. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 5.21** Approve Equitable Sharing Agreement and Certification between the County of Lake Sheriff's Department and the US Department of Justice; and authorize the Sheriff and Chair to sign
- 5.22** (Sitting as the Board of Directors of the Lake County Watershed Protection District) Approve the Well House Easement Deed with Linda Ruth Chandler for Property within the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project and Authorize the Chair of the Board of Directors to Sign the Well House Easement Deed
- 5.23** (Sitting as the Board of Directors of the Lake County Watershed Protection District) Adopt Resolution authorizing the County of Lake Water Resources Director to apply for California Department of Water Resources (DWR) Flood System Repair Project (FSRP) for much-needed repairs to levee maintenance areas within the Upper Lake levee system.

Enactment No: Resolution No. 2023-115

- 5.24** (Sitting as the Board of Directors for the Lake County Watershed Protection District) Approve "Approval of Just Compensation" for five (5) Properties within the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project and authorize the Chair of the Board of Directors to sign the Approval

On motion of Supervisor Sabatier, and by vote of the Board, approved consent agenda items 5.1 through 5.24 with the exception of items 5.4, 5.8, 5.10, 5.12, 5.19, and 5.20 which were pulled for further discussion. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

6. Timed Items

6.1 9:06 A.M. - Public Input

Public Members Elaine Brown, Vicki Gevers, and Michael Wilkinson spoke.

6.2 9:07 A.M. - Pet of the Week

Animal Care and Control Officer Hailey Downhour presented the pet of the week to the Board.

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

Presentation Only.

6.3 9:08 A.M. - New and Noteworthy at the Library

County Librarian Christopher Veach presented the item to the Board.

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

Presentation Only.

6.4 9:09 A.M. - Presentation of Proclamation Designating the Week of September 10, 2023 through September 16, 2023 as National Suicide Prevention Week

Supervisor Sabatier read the proclamation into the record and presented it to Lake County Behavioral Health. Behavioral Health Team Leader Carrie Manning, Behavioral Health Director Elise Jones, Mental Health Team Leader Summer Trongo, and Mental Health Specialist Clay Drinnon spoke.

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

This Ceremonial Item was read into the record and presented.

6.5 9:10 A.M. - Presentation of Proclamation Declaring September 22, 2023 as Native American Day in Lake County

Supervisor Crandell read the proclamation into the record and presented it to the Tribes of Lake County. Sherry Treppa, Robert Geary, and Von Rave spoke.

Chair Pyska asked if anyone present wished to speak and the following people present in the Board of Supervisors Chamber spoke: Richard Occhino and Elaine Brown. No one else wished to speak and the public input portion of this item was closed.

This Ceremonial Item was read into the record and presented.

- 6.6** 9:30 A.M. - HEARING - Consideration of Requested Hearing (Appeal) by Richard Saunders for a Notice of Nuisance and Order to Abate issued against 15892 Kugleman Street., Lower Lake / APN# 012-025-860

Community Development Director Mireya Turner introduced the item to the Board. Code Enforcement Manager Marcus Beltramo presented the PowerPoint Presentation to the Board. Appellants Richard Saunders and Patricia Hernandez, Code Enforcement Officer Christopher Colen, Bill Stone, Augustine Salazar, Daniel Salazar, and County Counsel Lloyd Guintivano spoke.

Chair Pyska 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 Green, and by vote of the Board, moved to uphold the Notice of Nuisance and Order to Abate and directed staff to move forward with the abatement process within seven (7) days. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 6.7** 10:00 A.M. - PUBLIC HEARING - Consideration of Appeal (AB 23-01) of Planning Commission's Approval of Parcel Map (PM 22-02); Appellant: Scotts Valley Energy Corporation; Location: 7130 Red Hills Road, Kelseyville (APN: 009-021-07)

Supervisor Crandell recused himself from the hearing. All members of the hearing were sworn in by the Clerk. Community Development Director Mireya Turner introduced the item to the Board. Associate Planner Eric Porter presented the item to the Board. Appellant Scotts Valley Energy Corporation Representative Thomas Jordan, Public Works Director Scott De Leon, and County Counsel Lloyd Guintivano spoke.

Chair Pyska 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, granted the appeal in part and modified the permit based on the amendments proposed by Director Turner and that the decision would be based upon the grounds specified in the staff report subject to the amendments proposed by Director Turner. The motion carried by the following vote:

Ayes- Supervisors: 4 - Simon, Sabatier, Green, and Pyska

Recused- Supervisor: 1 - Crandell

6.8 10:30 A.M. - PUBLIC HEARING - Consideration of Draft Ordinance Amending Chapter 5 of the Lake County Code Relating to Permitting Agriculture-Exempt and Temporary Cannabis Processing Structures, and Amending Chapter 27 of the Lake County Code regarding Mitigation Fees, and Amending Article 68 of the Zoning Ordinance Regarding Definitions of Temporary Building Types

Community Development Director Mireya Turner introduced the item to the Board. Cannabis Program Manager Andrew Amelung presented the item to the Board. County Counsel Lloyd Guintivano, Rebecca Harper, and Jennifer Smith spoke.

Chair Pyska asked if anyone present wished to speak and the following people present in the Board of Supervisors Chambers spoke: Sara Bodnar and Michael Wagner. The following people spoke via Zoom: Nara Dahlbacka and Damien Ramirez. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Simon, and by vote of the board, moved to continue the first reading of the ordinance to September 26, 2023 at 11:00 A.M. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

6.9 1:30 P.M. – PUBLIC HEARING – (Continued from September 12, 2023) Consideration of the Final Recommended Budget for Fiscal Year 2023/2024 for the County of Lake and Special Districts Governed by the Board of Supervisors

Assistant County Administrative Officer Stephen Carter introduced the item to the Board. Deputy County Administrative Officer Casey Moreno presented the item to the Board. Community Development Director Mireya Turner, Behavioral Health Director Elise Jones, Deputy Behavioral Health Director Christine Andrus, Public Services Director Lars Ewing, and Sheriff Rob Howe spoke.

Chair Pyska asked if anyone present wished to speak and the following person present in the Board of Supervisors Chambers spoke: Lakeport City Manager Kevin Ingram. The following person spoke via Zoom: Bart Leveson. No one else wished to speak and the public input portion of this item was closed.

Supervisor Sabatier offered the resolution adopting the final recommended budget for fiscal year 23/24 as detailed in the attachments with amendments to Budget Unit 8799 to increase 15-13 by \$430, decrease 25-00 by \$410, and decrease 38-00 by \$2,364, Budget Unit 2707 increase 21-10 by \$83,000, increase revenue account 21-40 \$18,000, and increase revenue account 66-12 by \$18,000, Budget Unit 2707 change 01-11 to \$72,238, 02-21 to \$5,574, 02-22 to \$16,978, 03-30 to \$12,042, and 03-31 to \$146 and it passed by roll call vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

Supervisor Sabatier offered the resolution establishing new classifications the effective date thereof and amending the position allocation chart for 23/24 with amendment to add a Principal Planner to Budget Unit 2707 and it passed by roll call vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

Enactment No: Resolution No. 2023-116
Enactment No: Resolution No. 2023-117

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

- 7.2 Consideration of (a) Purchase of an Animal Control Box in the amount of \$30,776.15 and (b) Authorize the Animal Care and Control Director or his designee to issue a Purchase Order

Animal Care and Control Director Jonathan Armas presented the item to the Board. County Counsel Lloyd Guintivano spoke.

Chair Pyska 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, approved Animal Control Box from Diamond Truck Body in the amount of \$38,184.85 and Authorized the Animal Care and Control Director or his designee to issue a Purchase Order. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 7.3 Consideration of Proposed Agreement between the County of Lake and PlaceWorks, for Planning Services for the General Plan and Local Area Plan Updates

Community Development Director Mireya Turner presented the item to the Board. Placeworks Representative Tanya Sundberg presented a PowerPoint Presentation to the Board. County Counsel Lloyd Guintivano spoke.

Chair Pyska asked if anyone present wished to speak and the following person spoke via Zoom: Betsy Cawn. No one else 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 Agreement between the County of Lake and PlaceWorks, for Planning Services for the General Plan and Local Area Plan Updates with amendments in an amount not to exceed \$1,888,954.00 and authorized the Chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 7.4 Consideration of Amendment One to the Agreement with COAR Design Group for Facility Design Services for the Behavioral Health Clearlake Facility Expansion Project

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

Chair Pyska 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 Amendment One to the Agreement with COAR Design Group for Facility Design Services for the Behavioral Health Clearlake Facility Expansion Project and authorized the chair to sign. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 7.5** (Sitting as Kelseyville County Waterworks District #3, Board of Directors) Consideration of (a) Waiving the Competitive Bid Process per Section 2-38.4, Cooperative Purchases, of the County Code and (b) Approving the Purchase of a Ford F-550 Service Truck for KCWWD#3 and authorize the Special Districts Administrator/Assistant Purchasing Agent to sign the Purchase Request

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

Chair Pyska 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, Waived the Competitive Bid Process per Section 2-38.4, Cooperative Purchases, of the County Code and Approved the Purchase of a Ford F-550 Service Truck for KCWWD#3 and authorized the Special Districts Administrator/Assistant Purchasing Agent to sign the Purchase Request. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 7.6** (Sitting as the Lake County Sanitation District Board of Directors) Consideration of a) Waiving the competitive bidding process, pursuant to Lake County Code Section 2-38.4 Cooperative Purchases; b) Authorizing Special Districts Administrator/Assistant Purchasing Agent to issue a purchase order not to exceed \$79,000 to Garton Tractors for the purchase of a Four-wheel Drive ROPS Tractor

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

Chair Pyska 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, Waived the competitive bidding process, pursuant to Lake County Code Section 2-38.4 Cooperative Purchases and Authorized the Special Districts Administrator/Assistant Purchasing Agent to issue a purchase order not to exceed \$79,000 to Garton Tractors for the purchase of a Four-wheel Drive ROPS Tractor. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 7.7 (Sitting as the Lake County Sanitation District Board of Directors) Consideration of a) Waiving the competitive bidding process, pursuant to Lake County Code Section 2-38.4 Cooperative Purchases; b) Authorizing Special Districts Administrator/Assistant Purchasing Agent to issue a purchase order not to exceed \$550,000 to Owen Equipment for the purchase of a Vactor 2100i Truck

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

Chair Pyska 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, Waived the competitive bidding process, pursuant to Lake County Code Section 2-38.4 Cooperative Purchases and authorized the Special Districts Administrator/Assistant Purchasing Agent to issue a purchase order not to exceed \$550,000 to Owen Equipment for the purchase of a Vactor 2100i Truck. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

8. Closed Session

Chair Pyska announced that the Board would now go into Closed Session at 2:45 p.m. for the reasons stated on the agenda.

The Board reconvened into Regular Session at 4:12 p.m. having taken action on items 8.1 and 8.2:

- 8.1 Public Employee Appointment Pursuant to Gov. Code Section 54957(b) (1):

Interviews for Chief Public Defender
Appointment of Chief Public Defender

On motion of Supervisor Simon, and by vote of the Board, appointed Raymond Buenaventura as Chief Public Defender effective October 16, 2023 at \$184,225.60 annually. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 8.2 Public Employee Appointment Pursuant to Gov. Code Section 54957(b) (1):

Interviews for Interim Health Services Director
Appointment of Interim Health Services Director

On motion of Supervisor Simon, and by vote of the Board, ratified the September 12, 2023 appointment of Susan Parker as Interim Health Services Director. The motion carried by the following vote:

Ayes- Supervisors: 5 - Simon, Sabatier, Crandell, Green, and Pyska

- 8.3 Conference with Legal Counsel: Significant Exposure to Litigation pursuant to Gov. Code section 54956.9(d)(2), (e)(1) – One potential case

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 4:15 p.m.

SUSAN PARKER
Clerk of the Board

By: _____
Johanna DeLong
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors