



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, August 27, 2024

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 Sabatier. Assistant County Administrative Officer Stephen Carter, County Counsel Lloyd Guintivano, and Administrative Analyst Carolyn Purdy were present, along with the following Supervisors:

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

2. Moment of Silence

A moment of silence was dedicated to International Overdose Day, Jaden Cose of Lakeport, and John Meyer.

3. Pledge of Allegiance

Led by Supervisor Crandell.

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 Adopt Proclamation Commending the Lake County Water Resources Team for Exemplary Work Orchestrating the 2024 Clear Lake Integrated Science Symposium (CLISS)
- 5.2 Approve Continuation of Local Emergency by the Lake County Sheriff/OES Director for the 2024 Late January, Early February Winter Storms
- 5.3 Approve Continuation of Proclamation declaring a Clear Lake Hitch Emergency
- 5.4 Approve Continuation of Proclamation of the Existence of a Local Emergency Due to Pervasive Tree Mortality
- 5.5 Approve Continuation of Emergency Proclamation Declaring a Shelter Crisis in the County of Lake

- 5.6 Adopt Resolution Approving the Annual Fiscal Year 2024-2025 Update to the Three Year Lake County Mental Health Services Act Program and Expenditure Plan.

Enactment No: Resolution No. 2024-90

- 5.7 Approve Board of Supervisors Minutes July 23, 2024, July 30, 2024, an August 6, 2024

On motion of Supervisor Crandell, and by vote of the Board, approved consent agenda items 5.1 through 5.7. The motion carried by the following vote:

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

6. Timed Items

6.1 9:02 A.M. - Public Input

Public Member Elaine Brown spoke.

- 6.2 9:03 A.M. - Pet of the Week

Kennel Coordinator Sara Schramm presented the pets of the week to the Board.

Presentation Only.

- 6.3 9:04 A.M. - New and Noteworthy at the Library

County Librarian Christopher Veach presented the item to the Board.

Chair Sabatier 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 9:05 A.M. - Consideration of lighting the Lake County Superior Courthouse in purple in recognition and honor of International Overdose Awareness Day

Behavioral Health Director Elise Jones presented the item to the Board.

Chair Sabatier 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 lighting the Lake County Superior Courthouse in purple in recognition and honor of International Overdose Awareness Day. The motion carried by the following vote:

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

6.5 9:06A.M. - Presentation of Proclamation Commending the Lake County Water Resources Team for Exemplary Work Orchestrating the 2024 Clear Lake Integrated Science Symposium (CLISS)

Supervisor Sabatier and Crandell read the proclamation into the record and presented it to Water Resources staff Pawan, Angela, Mitchell, Scott, and more. IT staff Jake, Video Sam, Jeanine Pfeiffer on Zoom, WR Angela, Jeanine and Sam spoke.

Chair Sabatier asked if anyone present wished to speak. 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.

6.6 9:15 A.M. - PUBLIC HEARING - Consideration of an Ordinance to Regulate Smoking and Commercial Tobacco Use in the unincorporated areas of Lake County

Public Health Director Anthony Arton and Health Program Coordinator Liberty Francis were in attendance. Liberty Francis presented the item to the Board and gave a PowerPoint presentation. Health Services Director Anthony Arton and Community Development Director Mireya Turner spoke.

Chair Sabatier asked if anyone present wished to speak and the following people present in the Board of Supervisors Chambers spoke: Stephanie Perazzo, Nora Delvacco, Greg Damron, and Gina Lyle Griffin. The following person spoke via Zoom: JoAnn Sacatto. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Pyska, 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 - Simon, Crandell, Green, Pyska, and Sabatier

On motion of Supervisor Pyska, and by vote of the Board, moved that the draft ordinance be advanced to the next Board of Supervisors Meeting for consideration and possible adoption. The motion carried by the following vote:

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

Nay- Supervisor: 1 - Green

6.7 10:00 A.M. - a) Consideration of Update on the Remodel of the National Guard Armory to the Lake County Sheriff Administration Facility; and b) Consideration of Plans and Specifications for the Remodel of the National Guard Armory to the Lake County Sheriff Administration Facility, and Authorize the Public Services Director to Advertise for Bids

Public Services Director Lars Ewing introduced the item to the Board. Undersheriff Lucas Bingham spoke. Patti Esposito and Jimmy Ng from Dewberry presented a PowerPoint Presentation to the Board.

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

On motion of Supervisor Pyska, and by vote of the Board, Approved the Plans and Specifications for the Remodel of the National Guard Armory to the Lake County Sheriff Administration Facility and Authorized the Public Services Director / Assistant Purchasing Agent to advertise for bids. The motion carried by the following vote:

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

6.8 10:30 A.M. - Consideration of the June 30, 2024 Report of Lake County Pooled Investments

Treasurer Tax Collector Patrick Sullivan presented a PowerPoint Presentation to the Board.

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

On motion of Supervisor Pyska, and by vote of the Board, accepted the report. The motion carried by the following vote:

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

6.9 11:30 A.M. - Consideration of Resolution To Extend Temporary Reduction of the Cannabis Cultivation Tax Rate, Extend Temporarily Limiting Cultivation Tax to Canopy Area Through 2025, and Rescind the Suspension of Tax Rate Increases Pursuant to the Consumer Price Index

Supervisor Sabatier presented the item to the Board. Treasurer - Tax Collector Patrick Sullivan, Deputy Treasurer - Tax Collector Elizabeth Martinez, Assistant County Administrative Officer Stephen Carter, and County Counsel Lloyd Guintivano spoke.

Chair Sabatier asked if anyone present wished to speak and the following people spoke: Nara Dahlbacka, Michael Donegal, Max Hopkins, Autumn Karsey, Sarah Bodner, Andrew Kramer, Christopher Thomas, Chris Jennings, Kristen Callahan, Justin Quayle, Jessica Pinner, Zarro, Margo Kambara, Carolyn Hillman, Angela Amaral, Malcomb Dunchy, and Jennifer Smith. No one else wished to speak and the public input portion of this item was closed.

There was board consensus to have the Treasurer-Tax Collector review the items mentioned.

Simon offered the resolution and it passed by roll call vote:

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

Enactment No: Resolution No. 2024-91

- 6.10** 1:30 P.M. - HEARING - Consideration of a) Appeal (AB 23-03) of Planning Commission's Decision to Revoke a Major Use Permit (UP19-15) for Legendary Farms, at 2290 Soda Bay Road, Lakeport (APN 008-010-29) for High Severity Violations and Deem Justin Smith and Melissa Smith Responsible Persons; and b) Appeals (AB 23-02 Roberto Estrada; and AB 23-04 Michael Wegner) of the Planning Commission's Decision to Deem These Persons as Responsible Persons for the High Severity Violations at Legendary Farms (UP 19-15)

Community Development Director Mireya Turner presented a PowerPoint Presentation to the Board. Deputy County Counsel Nicole Johnson, Appellant Representative Kali Perkins, and Appellant Representative Joe Rogoway spoke.

Chair Sabatier asked if anyone present wished to speak and the following people present in the Board of Supervisors Chambers spoke: Frank Perez, Sarah Bodner, and Michael Wegner. 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, moved to grant Appeal 23-02 of the Planning Commission's decision to determine Roberto Estrada as a "Responsible Person" for the high severity violations on property 2290 Soda Bay Road (APN 008-010-29) and directed staff to prepare findings of fact for the Board's consideration. The motion carried by the following vote:

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

On motion of Supervisor Green, and by vote of the Board, moved to grant appeal 23-04 of the Planning Commission's decision to determine Michael Wegner as "Responsible Person" for the high severity violations on property 2290 Soda Bay Road (APN 008-010-29) and directed staff to prepare findings of fact for Board consideration. The motion carried by the following vote:

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

On motion of Supervisor Green, and by vote of the Board, moved to approve an intended decision that Justin Smith and Melissa Smith are not "Responsible Persons" for the high severity violations on property 2290 Soda Bay Road (APN 008-010-29) under the definition stated in Lake County Code Section 13-47q and directed staff to incorporate that intended decision in its findings of fact after the conclusion of this appeal hearing. The motion carried by the following vote:

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

On motion of Supervisor Green, and by vote of the Board, moved to continue the appeal hearing of Appeal 23-03 to a date and time certain – September 17, 2024, 11:00 a.m. The motion carried by the following vote:

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

6.11 3:00 P.M. - Sitting as the Lake County Air Quality Management District Board of Directors - Notification of Office Closure and Reduction of Services.

Air Pollution Control Director Doug Gearhart presented the item to the Board.

Chair Sabatier asked if anyone present wished to speak and the following person spoke via Zoom: US Forest Service Representative Frank Abley. The following people present in the Board of Supervisors Chambers spoke: Cal Fire Chief Paul Duncan and Tribal Eco-Restoration Representative Lindsey Daily. No one else wished to speak and the public input portion of this item was closed.

There was Board Consensus to review the workload for Air Quality and the contract with Mendocino in a few months.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 Consideration of the Agreement Between County of Lake and BHC Heritage Oaks Hospital, Inc. for Acute Inpatient Psychiatric Hospital Services and Professional Services Associated with Acute Inpatient Psychiatric Hospitalization in the Amount of \$300,000 for Fiscal Year 2024-25.

Behavioral Health Director Elise Jones presented the item to the Board.

Chair Sabatier 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 Pyska, and by vote of the Board, approved Agreement Between County of Lake and BHC Heritage Oaks Hospital, Inc. for Acute Inpatient Psychiatric Hospital Services and Professional Services Associated with Acute Inpatient Psychiatric Hospitalization in the Amount of \$300,000 for Fiscal Year 2024-25. The motion carried by the following vote:

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

7.3 Consideration of the Following Appointment to the Mental Health Advisory Board

Chair Sabatier presented the item to the Board.

Chair Sabatier 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, appointed Sandra Campos to the Mental Health Advisory Board. The motion carried by the following vote:

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

7.4 Consideration of Memorandum of Understanding and Funding Agreement Between County of Lake and Rural Communities Housing Development Corporation (RCHDC) and authorize the Chair to sign

Chief Probation Officer Wendy Mondfrans presented the item to the Board.

Chair Sabatier 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 Memorandum of Understanding and Funding Agreement Between County of Lake and Rural Communities Housing Development Corporation (RCHDC) and authorized the Chair to sign. The motion carried by the following vote:

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

8. Closed Session

Chair Sabatier announced that the Board would now go into Closed Session at 4:32 p.m. for the reasons stated on the agenda.

The Board reconvened into Regular Session at 4:47 p.m. having taken no action.

8.1 Conference with Legal Counsel: Decision whether to initiate litigation pursuant to Gov. Code Sec. 54956.9(d)(4): One potential case

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 4:47 p.m.

SUSAN PARKER
Clerk of the Board

By: _____
Johanna DeLong
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors