

**COUNTY OF LAKE
BOARD OF SUPERVISORS**

Mokey Simon, District 1
Jeff Smith, District 2
Jim Steele, District 3
Tina Scott, District 4
Rob Brown, District 5



**TUESDAY, AUGUST 21, 2018
9:00 AM
AGENDA**

Carol J. Huchingson,
County Administrative Officer
Anita L. Grant, County Counsel
Carolyn Purdy, Asst. Clerk of the Board

GENERAL INFORMATION

The Board of Supervisors meets the first four Tuesdays of each month, at 9:00 a.m. at 255 North Forbes Street, Lakeport, California. The meeting room is wheelchair accessible. A request for a disability-related modification or accommodation necessary to participate in the Board of Supervisors meeting should be made in writing to the Clerk of the Board at least 48 hours prior to the meeting.

This agenda is divided into four sections:

CONSENT ITEMS - These items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Agenda for later discussion.

TIMED ITEMS - These items are noticed hearings, work sessions and items with a previously set time.

NON-TIMED ITEMS - These items include significant policy and administrative actions and are listed alphabetically by department. These non-timed items may be taken up at any unspecified time during the meeting.

CLOSED SESSION - Pursuant to applicable Government Codes, the Board may consider certain matters in Closed Session. The Board will reconvene into Open Session to take any action on a Closed Session item.

The Lake County Board of Supervisors meets concurrently as the Board of Directors of Lake County Air Quality Management District, Board of Directors of Lake County Watershed Protection District, Board of Directors of Kelseyville County Waterworks District #3, Board of Directors of Lake County Sanitation District, Lake County Housing Commission, Lake County Board of Equalization and Board of Directors of Lake County In-Home Supportive Services Public Authority.

Agendas of public meetings and supporting documents are available for public inspection in the Lake County Courthouse, Board of Supervisors Office, First Floor, Room 109, 255 North Forbes Street, Lakeport, California.

Any person may speak for three (3) minutes on any agenda item; however, total public input per item is not to exceed 15 minutes, unless extended at the discretion of the Board. This rule does not apply to public hearings.

AGENDA AVAILABLE ONLINE AT www.co.lake.ca.us

1. Call to Order
2. Moment of Silence
3. Pledge of Allegiance
4. Consideration of Extra Items Not Appearing on the Posted Agenda
5. Current Construction Projects - Contract Change Orders

- 5.1 Consideration of (a) Contract Change Order No. 7 to Contract between the County of Lake and Granite Construction Company for Eastlake Elementary SRTS & CDBG Project, in Clearlake Oaks, CA, Bid No 16-16, Federal Aid No. SRTSL-5914(097) for an increase of \$38,310.58; (b) Contract Change Order No. 8 to Contract between the County of Lake and Granite Construction Company for Eastlake Elementary SRTS & CDBG Project, in Clearlake Oaks, CA, Bid No 16-16, Federal Aid No. SRTSL-5914(097) for an increase of \$10, 735.25; (c) Contract Change Order No. 9 to Contract between the County of Lake and Granite Construction Company for Eastlake Elementary SRTS & CDBG Project, in Clearlake Oaks, CA, Bid No 16-16, Federal Aid No. SRTSL-5914(097) for an increase of \$8,600.63; (d) Contract Change Order No. 10 to Contract between the County of Lake and Granite Construction Company for Eastlake Elementary SRTS & CDBG Project, in Clearlake Oaks, CA, Bid No 16-16, Federal Aid No. SRTSL-5914(097) for an increase of \$18,919.72; (e) Contract Change Order No. 11 to Contract between the County of Lake and Granite Construction Company for Eastlake Elementary SRTS & CDBG Project, in Clearlake Oaks, CA, Bid No 16-16, Federal Aid No. SRTSL-5914(097) for an increase of \$18,197.56; (f) Contract Change Order No. 12 to Contract between the County of Lake and Granite Construction Company for Eastlake Elementary SRTS & CDBG Project, in Clearlake Oaks, CA, Bid No 16-16, Federal Aid No. SRTSL-5914(097) for an increase of \$10,944.19

Sponsors: Public Works

Memo: [18-718](#)

Attachments: [Change Order No 7](#)
[Change Order No 8](#)
[Change Order No 9](#)
[Change Order No 10](#)
[Change Order No 11](#)
[Change Order No 12](#)

6. Approval of the Consent Agenda

- 6.1** Approve Increase to the Salary of Staff Services Analyst II Nathan Spangler during his Temporary Assignment as Recovery Coordinator for the River/Ranch Fires by Ten Percent, (or two steps above his normal rate)

Sponsors: Administrative Office

Memo: [18-724](#)

- 6.2** (Sitting as the Lake County Watershed Protection District, Board of Directors) Award of Bid No. WR 18-01 for Levee Patrol Road Gravel Repair Project, Upper Lake, CA. in the amount of \$62,884 and authorize the Water Resources Director to execute the Agreement and Notice of Award

Sponsors: Lake County Watershed Protection District

Memo: [18-704](#)

Attachments: [Agreement WR 18-01](#)
[Bid Tabulation WR 18-01](#)
[Award Notice WR 18-01](#)

- 6.3** Approve Encroachment Permit #18-26 - Temporary closure of a portion of Clear Lake between Library Park and Skylark Shores Resort from September 6 thru September 9, 2018 for the 2018 Splash-In Seaplane Show

Sponsors: Water Resources

Memo: [18-700](#)

Attachments: [Seaplane Map](#)
[2018 Administrative Lakebed Encroachment Permit 18-26](#)
[2018 Splash-In Spec. Conditions & Instructions](#)

7. Timed Items

7.1 9:05 A.M. - Public Input

- 7.2** 9:06 A.M. - (Sitting as the Lake County Housing Commission) – Consideration of Resolution to Authorize the Executive Director of Lake County Housing Authority to Sign the Conciliation Agreement/Voluntary Compliance Agreement Between U.S. Department of Housing and Urban Development and Delfina Gonzales and Lake County Housing Commission

Sponsors: Housing Commission

Memo: [18-688](#)

Attachments: [Resolution No. 1819-01](#)
[Conciliation Agreement/Voluntary Compliance Agreement HUD-Delfina Gonzale](#)

- 7.3 9:09 A.M. - Consideration of Continuing a Proclamation of a Local Health Emergency by the Lake County Health Officer due to the Pawnee Fire Incident
- Sponsors:** Health Services
- Memo:** [18-637](#)
- Attachments:** [Proc_HealthEmergency_HS](#)
- 7.4 9:10 A.M. - Consideration of Continuing a Proclamation of a Local Health Emergency by the Lake County Health Officer due to the Mendocino Complex Fire
- Sponsors:** Health Services , Office of Emergency Services and Sheriff
- Memo:** [18-695](#)
- Attachments:** [Mendocino Complex Fire Declaration of Health Emergency 8.3.18](#)
- 7.5 9:11 A.M. - (a) Consideration of Continuing a Proclamation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires); and (b) Update and Discussion on the Mendocino Complex - River and Ranch Fires Response and Recovery
- Sponsors:** Office of Emergency Services and Sheriff
- Memo:** [18-698](#)
- Attachments:** [Emergency Proclamation](#)
- 7.6 9:12 A.M. - Consideration of Continuing a Proclamation of a Local Emergency due to the Pawnee Fire Incident
- Sponsors:** Office of Emergency Services and Sheriff
- Memo:** [18-638](#)
- Attachments:** [Board ratification of Pawnee Emergency_1](#)
- 7.7 9:13 A.M. - Consideration of Continuing a Proclamation of a Local Emergency due to the Sulphur Fire Incident
- Sponsors:** Office of Emergency Services and Sheriff
- Memo:** [18-533](#)
- Attachments:** [OES_DeclarationLocalEmergency_SulphurFireIncident.pdf](#)
[Reso2017-133 LocalEmergency SulphurFire SO](#)
- 7.8 9:14 A.M. - Consideration of Continuing a Proclamation of a Local Emergency due to Clayton Fire
- Sponsors:** Office of Emergency Services and Sheriff
- Memo:** [18-535](#)

- 7.9** 9:15 A.M. - Consideration of Continuing a Proclamation of a Local Emergency due to the Atmospheric River Storm
- Sponsors:** Office of Emergency Services and Sheriff
- Memo:** [18-536](#)
- Attachments:** [Reso_LocalEmergency](#)
- 7.10** 9:30 A.M. - (Continued from August 7, 2018) - Consideration of Resolution Declaring the Results of the Majority Protest Proceedings and Establishing the Lake County Tourism Improvement District (LCTID) (THIS ITEM WILL BE CONTINUED TO SEPTEMBER 18, 2018 @ 9:30 A.M.)
- Sponsors:** Administrative Office
- Memo:** [18-696](#)
- Attachments:** [Resolution LCTID](#)
[LCTID MDP 4-3-18](#)
[LCTID Ltr Ethan Rose](#)
[LCTID_Ltr LakePillsburyResort](#)
- 7.11** 9:31 A.M. - Discussion and Consideration of Draft for Right to Geothermal Exploration and Development Ordinance
- Sponsors:** Brown
- Memo:** [18-701](#)
- Attachments:** [Draft_Geothermal Development](#)
- 7.12** 9:45 A.M. - PUBLIC HEARING: Consideration of Application for Funding for the Cobb Area Water District Improvements to Water Systems to Improve Water Quality and Fire Suppression Capacity, known as Hill 9&10, Branding Iron Systems Improvements and Summit Area Improvements, under the 2016 Butte and Valley Wildfire Recovery Disaster Notice of Funding Availability (NOFA)
- Sponsors:** Administrative Office
- Memo:** [18-702](#)
- Attachments:** [2018 Resolution CDBG](#)
- 7.13** 10:00 A.M. - PUBLIC BID OPENING – (Continued from August 14, 2018) Consideration of Bids to Purchase the property known as the Lucerne Hotel, located at 3700 Country Club Drive, Lucerne, CA (APN'S 034-182-030 & 040, AND 034-867-010 through 070) pursuant to Government Code Section 25520 et seq.
- Sponsors:** Administrative Office
- Memo:** [18-703](#)

8. Non-Timed Items

8.1 Supervisors' weekly calendar, travel and reports

- 8.2** Consideration of a Resolution Adopting the Position of the County of Lake Regarding the Future of Lake Pillsbury and the Potter Valley Project on the Eel River
- Sponsors:** Steele
- Memo:** [18-727](#)
- Attachments:** [Resolution, Potter Valley Project 2018-08-21](#)
- 8.3** Consideration of Argument in Favor of a Cannabis Business Tax Ballot Measure for the November 4, 2018 Election
- Sponsors:** Steele
- Memo:** [18-726](#)
- Attachments:** [Argument in favor of Measure K \(ed. 08-20-2018\)](#)
- 8.4** Consideration of an Urgency Interim Ordinance Authorizing a Temporary Deferral of Certain Provisions of Section 21-27.3, Subdivision (P) due to the Pawnee, River and Ranch Fires
- Sponsors:** Community Development
- Memo:** [18-706](#)
- Attachments:** [Urgency ordinance temporary dwellings8.20.18](#)
[Temp Dwelling Terms and Conditions](#)
- 8.5** (Second Reading) Consideration of an Ordinance Amending Certain Sections of Chapter 13 to Establish Administrative Fines for Violations of the Lake County Code Relating to the Failure to Obtain and/or Maintain Any Permit Related to Cannabis Operations
- Sponsors:** County Counsel
- Memo:** [18-708](#)
- Attachments:** [Ord Fines](#)
- 8.6** Consideration of Findings of Fact and Final Decision in the Appeal of Patrick Smythe of the Planning Commission's approval of Deviation DV 16-01 for Parcel Map PM 15-03 (AB 18-01)
- Sponsors:** County Counsel
- Memo:** [18-709](#)
- Attachments:** [smythe](#)

- 8.7** Consideration of (a) the Submission of the FY18 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Application in the amount of \$14,255, to provide funding for an extra help employee to assist with forensic processing and data collection services; and (b) authorize the County Administrative Officer to sign all grant documents for the FY17 and FY18 JAG grants

Sponsors: Sheriff

Memo: [18-666](#)

Attachments: [fy17_jag_20180815175948.pdf](#)
[fy18_jag_20180815180028.pdf](#)

9. Closed Session

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

Interviews of Interim Public Health Officer

Memo: [18-705](#)

- 9.2** Conference with Legal Counsel: Decision Whether to Initiate Litigation Pursuant to Government Code section 54956.9(d)(4): County of Lake v. United States, Department of Interior

Memo: [18-707](#)

- 9.3** Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code section 54956.9(d)(1): Navarro v. County of Lake, et al.

Memo: [18-717](#)

10. Adjournment