



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, December 21, 2021

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. 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 Simon, Supervisor Crandell, Supervisor Scott, Supervisor Pyska and Chair Sabatier

2. Moment of Silence

A moment of silence was dedicated to those who have lost loved ones in the past year.

3. Pledge of Allegiance

Led by Supervisor Scott.

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 Correction to the start date of the appointment of Jonathan Portney to Health Services Director to be effective January 11, 2022

5.2 Approve Agreement between County of Lake and AirMedCare Network for Air Ambulance Services, and Authorize the Director of Human Resources Director to Sign

5.3 Second Reading of Ordinance Rescinding Ordinance Number 2958 Which Amended Article II, Section 2-4, Of Chapter 2 Of The Lake County Code Establishing The Boundaries Of The Supervisorial District For The County Of Lake, Pursuant To Sections 21500 Et Seq Of The California Elections Code

Enactment No: Ordinance No. 3115

5.4 Adopt Resolution Approving Agreement No. 21-0516-009-SF with California Department of Food and Agriculture to Authorize Execution of the Asian Citrus Psyllid Winter Trapping Program in the Amount of \$9,107.00 beginning October 1, 2021 through May 31, 2022

Enactment No: Resolution No. 2021-161

- 5.5** Approve Board of Supervisors Meeting Minutes October 19, 2021, December 9, 2021, and December 14, 2021
- 5.6** Approve Continuation of Resolution Authorizing Teleconfered Meetings during a State of Emergency Continue to Exist
- 5.7** Adopt Resolution Amending Resolution 2017-79 that Approved a Request from County of Lake Health Services Department to Submit a Renewal Application for the California Department of Public Health Immunization Assistance Grant Program (IAP) for Fiscal Years 2017/2018 through 2021/2022 in the Amount of \$197,715, and Authorized the Health Services Director to Sign

Enactment No: Resolution No. 2021-162

- 5.8** Approve the Continuation of a Local Health Emergency Related to the 2019 Coronavirus (COVID-19) as Proclaimed by the Lake County Public Health Officer
- 5.9** Approve the Continuation of a 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
- 5.10** Adopt Resolution Approving the Renewal Application and Certification Statement for the State Department of Health Services, CMS Branch's Child Health & Disability Program (CHDP), Health Care Program for Children in Foster Care Program (HCPCFC), Monitoring Oversight of Foster Children Treated with Psychotropic Meds (HCPCFC-PMMO) and Caseload Relief (HCPCFC-CR) Grant for FY 2019-2020 and Authorize the Board Chair to Sign Said Certification Statement

Interim Deputy Health Services Director Jen Baker presented the item to the Board. County Administrative Officer Carol Huchingson 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.

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

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

Enactment No: Resolution No. 2021-163

- 5.11** Approve Continuation of a Local Health Emergency by the Lake County Health Officer for the Cache Fire
- 5.12** a) Waive the formal bidding requirement; and b) authorize the IT Director to issue a Purchase Order to AMS.net for Cisco Networking Switches for Behavioral Health Locations in the amount of \$49,085.42.
- 5.13** Approve the Continuation of a Local Emergency due to the Pawnee Fire Incident.

- 5.14 Approve the Continuation of a Local Emergency In Lake County in Response to the LNU Lightning Complex Wildfire Event
- 5.15 Approve the Continuation of an Emergency Declaration for Drought Conditions
- 5.16 Approve the Continuation of a Local Emergency due to COVID-19
- 5.17 Approve the Continuation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires).
- 5.18 Approve Continuation of a Local Emergency by the Lake County Sheriff/OES Director for the Cache Fire
- 5.19 Approve the Continuation of a Local Emergency In Lake County in Response to the LNU Lightning Complex Wildfire Event
- 5.20 Adopt Resolution authorizing the acceptance of the 2022/23 Boating Safety and Enforcement financial aid funding from the State of California, Department of Parks and Recreation, Division of Boating and Waterways in the amount of \$315,312

Enactment No: Resolution No. 2021-164

- 5.21 (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 County of Lake and Harmony Research, for FY 21/22 for professional research services related to Tax Default Land Sales in an amount not to exceed \$147,750.00 and authorize the Chair to sign.

Assistant Treasurer-Tax Collector Liz Martinez 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 Crandell, and by vote of the Board, Waived 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 Approved Agreement between County of Lake and Harmony Research, for FY 21/22 for professional research services related to Tax Default Land Sales in an amount not to exceed \$147,750.00 and authorized the Chair to sign. The motion carried by the following vote:

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

- 5.22** (Sitting as the Board of Directors for the Lake County Watershed Protection District) Consideration and approval of Memorandum of Understanding (MOU) between Lake County Watershed Protection District (District) and Habematolel Pomo of Upper Lake to execute a Bureau of Indian Affairs (BIA) Endangered Species Hitch Study Grant in a shared amount not to exceed \$43,912.60 and authorize the Board Chair to sign said MOU

On motion of Supervisor Simon, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.22 with the exception of items 5.10 and 5.21 which were pulled for further discussion. The motion carried by the following vote:

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

6. Timed Items

6.1 9:05 A.M. - Public Input

Public Members Sean Connell, Richard Derum, and Betsy Cawn spoke.

6.2 9:06 A.M. - Consideration of Update on COVID-19

Dr. Charlie Evans presented a PowerPoint Presentation to the Board. County Administrative Officer Carol Huchingson and Deputy County Administrative Officer Matthew Rothstein spoke.

Chair Sabatier asked if anyone present wished to speak and the following people spoke via Zoom: Christina Robertson, Carlos Bono, Julia Bono, Tom Slaight, and Will Tuttle. The following person present in the Board of Supervisors Chambers spoke: Joan Moss. 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 - Greg Hanson General Plan Amendment (GPAP 20-02), Rezone; (RZ 20-02), Initial Study (IS 20-91)

Assistant Planner Sateur Ham presented a PowerPoint Presentation to the Board. Brian Hanson 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.

On motion of Supervisor Scott, and by vote of the Board, moved that the Board of Supervisors find the General Plan Amendment (GPAP 20-02) and Rezone (RZ 20-02) applied for by Greg Hanson will not have a significant effect on the environment and, therefore, a negative declaration shall be adopted with the findings outlined in the staff report dated May 27, 2021. The motion carried by the following vote:

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

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

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

On motion of Supervisor Scott, and by vote of the Board, moved that the reading of the ordinance be waived and be read in title only. The motion carried by the following vote:

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

On motion of Supervisor Scott, and by vote of the Board, advance the second reading to the Ordinance to the January 4, 2022 Board of Supervisors Meeting. The motion carried by the following vote:

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

Enactment No: Resolution No. 2021-165

6.4 10:30 A.M. - Consideration of Resolution Supporting Community Development Department in Processing Commercial Cannabis Permits While Ensuring Appropriate Environmental Protection To Our Communities

Chair Sabatier presented the item to the Board. County Counsel Anita Grant and Community Development Director Mary Darby 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.

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

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

Enactment No: Resolution No. 2021-166

6.5 10:45 A.M. - Discussion/Consideration of making Public Works and Water Resources separate, standalone departments

County Administrative Officer Carol Huchingson introduced the item to the Board. Public Works Director Scott De Leon spoke.

Chair Sabatier asked if anyone present wished to speak and the following person spoke via Zoom: Betsy Cawn. The following person present in the Board of Supervisors Chambers spoke: Joan Moss. No one else wished to speak and the public input portion of this item was closed.

Discussion Only.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 Consideration of Ordinance Amending the Micro Home Kitchen Operation Ordinance

Chair Sabatier introduced the item to the Board. Environmental Health Director Craig Wetherbee 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.

On motion of Supervisor Crandell, and by vote of the Board, moved that the reading of the ordinance be waived and be read in title only. The motion carried by the following vote:

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

On motion of Supervisor Crandell, and by vote of the Board, advance the second reading to the Ordinance to the January 4, 2022 Board of Supervisors Meeting. The motion carried by the following vote:

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

7.3 Consideration of Recovery and Revitalization Plan for Lake County, an American Rescue Plan Act (ARPA) Spending Priorities Statement

County Administrative Officer Carol Huchingson introduced the item to the Board. Deputy County Administrative Officer Matthew Rothstein and Sheriff Brian Martin spoke.

Chair Sabatier asked if anyone present wished to speak and the following people spoke via Zoom: Betsy Cawn and Carla Ritz. The following person present in the Board of Supervisors Chambers spoke: Joan Moss. 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 Recovery and Revitalization Plan ARPA Spending Priorities Document. The motion carried by the following vote:

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

7.4 Consideration of MOU Between CalMHSA and Participating Counties and the California Department of State Hospitals for the Purchase of State Hospital Beds FY 2021-22.

Behavioral Health Todd Metcalf 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 Scott, and by vote of the Board, approved MOU Between CalMHSA and Participating Counties and the California Department of State Hospitals for the Purchase of State Hospital Beds FY 2021-22. The motion carried by the following vote:

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

7.5 Consideration of Participation Agreement Between Lake County Behavioral Health Services and the California Mental Health Services Authority for the Superior Regional Partnership - OSHPD WET Grant FY 2021-25.

Behavioral Health Director Todd Metcalf 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 Scott, and by vote of the Board, approved Participation Agreement Between Lake County Behavioral Health Services and the California Mental Health Services Authority for the Superior Regional Partnership - OSHPD WET Grant FY 2021-25. The motion carried by the following vote:

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

7.6 Consideration of Extension of the Use of County Juvenile Hall Facility for a Temporary Support Shelter Targeting Lake County's Chronically Homeless Population through March 31, 2022.

Behavioral Health Director Todd Metcalf presented the item to the Board. County Counsel Anita Grant 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 item was pulled and continued to a future date.

**7.7 Consideration of the following advisory board appointments:
Maternal, Child and Adolescent Health (MCAH) Advisory Board**

Chair Sabatier introduced 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, appointed Elizabeth Anderson to the Maternal, Child and Adolescent Health (MCAH) Advisory Board. The motion carried by the following vote:

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

7.8 Consideration of Planning Services Contract Amendment Number 1 between the County of Lake and LACO to Extend the Term of the Contract and Increase the Compensation.

Assistant County Administrative Officer Susan Parker presented the item to the Board. Community Development Director Mary Darby spoke.

Chair Sabatier asked if anyone present wished to speak and the following people spoke via Zoom: Autumn Karcey, Betsy Cawn, Jennifer Smith, Sean Connell, and Erin McCarrick. 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 Planning Services Contract Amendment Number 1 between the County of Lake and LACO to Extend the Term of the Contract and Increase the Compensation and come back with a six month review. The motion carried by the following vote:

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

7.9 Consideration of Proposed Findings of Fact and Decision in the Appeal of Don and Margie Van Pelt (AB 21-04)

County Counsel Anita Grant presented the item to the Board.

Chair Sabatier asked if anyone present wished to speak and the following person spoke via Zoom: Brad Johnson. 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 Findings of Fact Granting the Appeal and Denying the Use Permit without Prejudice. The motion carried by the following vote:

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

Nays- Supervisor: 1 - Scott

7.10 Consideration of Agreement with the Regents of the University of California on behalf of the Tahoe Environmental Research Center for Clear Lake sediment sampling analysis for 16-month period not to exceed \$74,995 and authorize the Water Resources Director to sign.

Water Resources Director Scott De Leon presented the item to the Board.

Chair Sabatier asked if anyone present wished to speak and the following person spoke via Zoom: Betsy Cawn. The following person present in the Board of Supervisors Chambers spoke: Joan Moss. 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 Agreement with the Regents of the University of California on behalf of the Tahoe Environmental Research Center for Clear Lake sediment sampling analysis for 16-month period not to exceed \$74,995 and authorized the Water Resources Director to sign. The motion carried by the following vote:

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

7.11 (Sitting as the Board of Directors, Lake County Watershed Protection District) Presentation of Big Valley Groundwater Basin Sustainable Groundwater Management Act (SGMA) Progress and Next Steps

Deputy Water Resources Director Marina Deligiannis presented a PowerPoint Presentation to the Board. Water Resources Director Scott De Leon, Christy Clark, and Eddy Teasdale.

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

Presentation Only.

8. Closed Session

Chair Sabatier announced that the Board would now go into Closed Session at 3:20 p.m. for the reasons stated on the agenda.

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

Appointment of Public Health Officer

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

The Board reconvened into Regular Session at 3:57 p.m. having taken no action.

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 3:57 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Johanna DeLong
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors