



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft BOARD OF SUPERVISORS

Tuesday, February 14, 2017

9:00 AM

Board Chambers

1. Call to Order

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

Present: 4 - Vice Chair Steele, Supervisor Brown, Supervisor Scott and Supervisor Simon

Absent: 1 - Chair Smith

2. Moment of Silence

A moment of silence was dedicated to Alberta Mills.

3. Pledge of Allegiance

Led by Milos Leubner.

4. Presentation of Animals Available for Adoption at the Animal Care and Control Shelter

Animal Care and Control Officer Alicia Brisker offered one canine currently available for adoption.

5. Consideration of Items Not Appearing on the Posted Agenda (Extra Items)

5.1 Consideration and Discussion of a complete ban on Boats on Clear Lake during high water levels

An Ordinance with the title, "An Urgency Ordinance Temporarily Prohibiting Specified Operations on Clear Lake" was presented to the Board for consideration by Sheriff Martin. This Ordinance would ban boats on Clear Lake during high water levels. Water Resources Director Phil Moy was present and spoke.

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

Supervisor Scott offered Urgency Ordinance No. 3059 and it was passed by roll call vote:

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

Absent- Supervisors: 1 - Smith

Enactment No: ORD 3059

6. Current Construction Projects - Contract Change Orders

There were no change orders to consider.

7. Approval of the Consent Agenda

Item 7.5 was pulled at the request of County Counsel to be taken up immediately after the Consent Agenda

- 7.1 Adopt Proclamation Designating the Month of February 2017 as Black History Month and Celebrating Martin Luther King's Birthday.
- 7.2 Approve Resolution of the Board of Trustees of the Yuba Community College District Certifying all Proceedings in the November 8, 2016 General Obligation Bond Election, and Establish a Citizens Oversight Committee for Measure Q Bonds
- 7.3 Adopt Resolution Setting Rate of Pay for Election Officers for the March 7, 2017 Lake County Fire Protection District Special Election pursuant to Section 12310 of the Elections Code

Enactment No: Reso. No. 2017-21

- 7.4 Approve Agreement Between the County of Lake and St. Helena Hospital Clear Lake for Support of Collaborative Efforts to Reduce Prescription Drug Abuse in Lake County; and authorize the Chair to sign

On motion of Supervisor Scott, and by vote of the Board, approved Consent Agenda Items 7.1 through 7.4. Item 7.5 was pulled at the request of County Counsel and taken up immediately after the approval of the Consent Agenda. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

- 7.5 (Sitting as Board of Directors, In-Home Supportive Services Public Authority) Adopt Resolution Adopting a Side Letter of Agreement to the Memorandum of Understanding (MOU) by and Between the SEIU Local 2015 Union and the Lake County IHSS Public Authority; and authorize the Chair to sign.

County Counsel Anita Grant requested to pull this item from the Consent Agenda due to a typographical error. Ms. Grant presented the item to the Board and amended the resolution title to read "A Resolution Adopting the Side Letter to the Agreement dated December 19, 2016 by and between the SEIU Local 2015 and the Lake County IHSS Public Authority".

Chair Steele 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, as amended, and it was passed by roll call vote:

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

Absent- Supervisors: 1 - Smith

Enactment No: Reso. No. 2017-22

8. Timed Items

8.1 9:05 A.M. - Public Input

Milos Luebner spoke.

8.2 9:10 A.M. - Presentation of Proclamation Designating the Month of February 2017 as Black History Month and Celebrating Martin Luther King's Birthday.

Supervisor Steele read the proclamation into the record and presented it to Rick Mayo from the Lake County branch of the NAACP. Past President, Aquila Elamine was present and read a statement from the current president, Rick Mayo, at his request.

This Ceremonial Item was read into the record and presented

8.3 9:15 A.M. - Consideration of Continuation of a Proclamation of a Local Health Emergency by the Lake County Health Officer

Lake County Health Officer Dr Karen Tait presented the item to the Board. Dr. Tait's recommendation is not to extend the proclamation for the Clayton Fire Health Emergency. Environmental Health Director Ray Ruminski was present and spoke. A total of 152 properties have been cleaned up to date. Demobilization of equipment has started along with the removal of the portable bridge. Field operations will be complete by February 21, 2017. There have been 3 lots cleared as part of the nuisance abatement project. A total of 3,600 loads of debris and 35,000 tons of material have been removed from the Clayton Fire footprint. 49 private lots continue with their clean up. The County's involvement will be complete within the next few days.

County Administrative Officer Carol Huchingson stated that the emergency should be continued for an additional two weeks from the advice of the County Auditor, who serves as Disaster Finance Chief, and Cal OES. After a discussion with Health Officer Dr. Karen Tait the proclamation will be extended 2 weeks to February 28, 2017.

Chair Steel 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 the Continuation of a Proclamation of a Local Health Emergency by the Lake County Health Officer through February 28, 2017. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

8.4 9:16 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to Wildfire Conditions, pertaining to the Rocky, Jerusalem and Valley Fires

Sheriff Brian Martin presented the item to the Board.

Chair Steele 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 the Continuation of a Proclamation of a Declaration of a Local Emergency due to Wildfire Conditions, pertaining to the Rocky, Jerusalem and Valley Fires. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

8.5 9:17 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to Clayton Fire

Sheriff Brian Martin presented the item to the Board.

Chair Steele 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 the Continuation of a Proclamation of a Declaration of a Local Emergency due to Clayton Fire. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

8.6 9:18 A.M. - Consideration of Continuation of a Proclamation of a Declaration of a Local Emergency due to the Atmospheric River Storm

Sheriff Brian Martin presented the item to the Board.

Chair Steele 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 the Continuation of a Proclamation of a Declaration of a Local Emergency due to the Atmospheric River Storm. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

8.7 9:20 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$1631.27, for 5845 State Hwy 20, Lucerne CA (APN 034-421-28 -Anthony Tucciarelli.)

All parties to the hearing were sworn in by the Clerk.

Community Development Code Enforcement Officer Mike Penhall presented the item to the Board and gave a PowerPoint presentation. Code Enforcement Technician Jeri Driver was also present.

Owner of the property Anthony Tucciarelli was present gave his testimony. Witness Art Flores was present and also testified.

Chair Steele 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 Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$1631.27, for 5845 State Hwy 20, Lucerne CA (APN 034-421-28 -Anthony Tucciarelli.). The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

8.8 10:00 A.M. - Informational report by Rural County Representatives of California (RCRC)

Rural County Representatives of California Vice President Justin Caporusso, Senior Legislative Advocate Mary-Ann Warmerdam and Regulatory Affairs Advocate Staci Heaton gave a presentation on the many initiatives that their organization is working on in support of Lake County.

This item was informational only. No action was taken.

9. Non-Timed Items

9.A Supervisors' weekly calendar, travel and reports

9.1 Consideration of Letter of Support for Senate Bill (SB) 58 (McGuire)

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

Chair Steele 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 the Letter of Support for Senate Bill 58 (McGuire) as amended. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

9.2 (Sitting as Board of Directors, Lake County Sanitation District) Consideration of Approval of Engineering Services Agreement in the amount of \$332,500 with Brelje & Race Consulting Engineers for the Middletown Sewer Treatment Plant; and authorize the Chair to sign

Special Districts Administrator Jan Coppinger presented the item to the Board.

Chair Steele 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 Director Simon, and by vote of the Board, approved the Engineering Services Agreement in the amount of \$332,500 with Brelje & Race Consulting Engineers for the Middletown Sewer Treatment Plant; and authorized the Chair to sign. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

9.3 Consideration of Rescinding Temporary Fee Waiver of Construction Traffic Impact Fees for Homes Damaged or Destroyed by 2015 Wildland Fires

Public Works Director Scott DeLeon presented the item to the Board.

Chair Steele 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 to rescind the Temporary Fee Waiver of Construction Traffic Impact Fees for Homes Damaged or Destroyed by 2015 Wildland Fires. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

On motion of Supervisor Scott, and by vote of the Board, reopened the item for clarification. Any building permit applied for as of May 1, 2017 will be subject to the traffic input fee. No permits in the queue will be affected. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

10. Closed Session

Chair Steele announced that the Board would now go into Closed Session at 11:46 a.m. for the reasons stated on the agenda.

10.1 Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, C. Huchingson, K. Ferguson and S. Jansen; and (b) Employee Organizations: DDAA, DSA, LCCOA, LCEA and LCSEA

10.2 Employee Disciplinary Appeal (EDA 16-05) Pursuant to Gov. Code sec. 54957

The Board reconvened into Regular Session at 12:30 p.m. having taken the following action:

On motion of Supervisor Brown, and by vote of the Board, adopted the findings and decision and denied the appeal in EDA 16-05. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Smith

10.3 Conference with Legal Counsel: Existing Litigation Pursuant to Gov. Code sec. 54956.9(d)(1): Shikman v. County of Lake, et al.

10.4 Public Employee Evaluations

Title: Human Resources Director (Continued from February 7, 2017)

Title: Agricultural Commissioner

11. Adjournment

There being no further business, the Board of Supervisors adjourned at 12:30 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Carolyn Purdy
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors