



# COUNTY OF LAKE

255 North Forbes Street  
Lakeport, CA 95453

## Meeting Minutes - Draft BOARD OF SUPERVISORS

---

Tuesday, October 17, 2017

9:00 AM

Board Chambers

---

### 1. Call to Order

*The meeting was called to order at 9:00 a.m. by Chair Smith. 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: Supervisor Simon, Supervisor Steele, Supervisor Scott, Supervisor Brown and Chair Smith*

### 2. Moment of Silence

*Supervisor Steele dedicated a moment of silence to the Sonoma County Firefighter and forty victims that lost their lives in the recent fires in the North Bay.*

### 3. Pledge of Allegiance

*Led by Andy Peterson.*

### 4. Presentations by County Departments:

#### (a) Animal Care & Control - Animals Available for Adoption

#### (b) Human Resources - Current County Job Openings

*(a) Animal Care and Control was not present.*

*b) Human Resource Analyst Diana Rico presented the current job openings available for the County of Lake. Health Services Director Denise Pomeroy presented job openings within the Health Services Department.*

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

*There were no extra items to consider.*

### 6. Current Construction Projects - Contract Change Orders

*There were no contract change orders to consider.*

### 7. Approval of the Consent Agenda

*Agenda item 7.16 was pulled to be taken up immediately after the consent agenda.*

- 7.1** Adopt Proclamation Designating the Month of October 2017, as Domestic Violence Awareness Month in Lake County, California

- 7.2 Approve Minutes of the Board of Supervisors meetings held August 22, 2017, September 12, 2017 and September 26, 2017.
- 7.3 Approve Leave of Absence Request for Dennis Reynolds, Senior Deputy Probation Officer, October 16, 2017 through January 1, 2018.
- 7.4 (a) Adopt Resolution Amending Resolution No. 2017-98 Declaring the Board of Supervisors Intent to Sell Property, Not Required for Public Use, Known as Holiday Harbor, Located at 3605 and 3655 Lakeshore Boulevard, Nice, California (APN's 032-133-35 and 032-137-01), pursuant to Government Code Section 25520 et seq.; and (b) Adopt Resolution Amending Resolution No. 2017-85 Declaring the Board of Supervisors Intent to Sell Property, Not Required for Public Use, Known as the Visitor Information Center, Located at 6110 State Highway 20, Lucerne, California (APN 034-112-360), pursuant to Government Code Section 25520 et seq.

Enactment No: Resolution No. 2017-135/2017-135

- 7.5 Adopt Resolution Approving a Cooperative Agreement with the U.S. Department of Agriculture to Provide an Animal Damage Control Program for the County of Lake

Enactment No: Resolution No. 2017-136

- 7.6 Approve Reissuance of tax refund check from FY 2010/11 to Carol Pramann in the amount of \$630.34.
- 7.7 Approve Agreement for Cost Allocation Plan Professional Services Fiscal Years Ending 2018, 2019, 2020; and authorize the Chair to sign.
- 7.8 (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 the Agreement between the County of Lake and Davis Guest Home for Adult Residential Support Services for Fiscal Year 2017-18 for a contract maximum of \$38,325 and authorize the Board Chair to sign the Agreement.
- 7.9 (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 the Agreement between the County of Lake and Redwood Community Services, Inc. for the Lake County Wrap Program, Foster Care Program and Intensive Treatment Foster Care (ITFC) Program for Fiscal Year 2017-18 for a contract maximum of \$550,000; and authorize the Board Chair to sign the Agreement.
- 7.10 (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 the Agreement between the County of Lake and Star View Adolescent Center OP for Specialty Mental Health Services in the amount of \$110,000 for Fiscal Year 2017-18 and authorize the Chair to sign

- 7.11 Approve the First Amendment to the Agreement between the County of Lake and Restpadd, Inc. For Acute Inpatient Psychiatric Hospital Services and Professional Services for Fiscal Year 2017-18 for an increase of \$80,000 for a new contract maximum of \$90,000 and authorize the Board Chair to sign the First Amendment.
- 7.12 (a) Approve Agreement between the County of Lake and Jones Towing for towing services, total amount not to exceed \$110,000, from July 1, 2017 to June 30, 2020, and authorize the Chair to sign; and (b) Approve Agreement between the County of Lake and Kelseyville Auto Salvage and Towing for towing services, total amount not to exceed \$60,000, from July 1, 2017 to June 30, 2020, for the Abandoned Vehicle Abatement Program, and authorize the Chair to sign.
- 7.13 Adopt Resolution Approving Lake County Health Services Department to Apply for a Rural CUPA (Certified Unified Program Agency) Grant Through California Environmental Protection Agency (CALEPA) not to Exceed \$100,000 and Authorize the Health Services Director to Sign

Enactment No: Resolution No. 2017-137

- 7.14 Adopt Resolution Approving Lake County Health Services Department to Apply for Naloxone Distribution Project Grant for Fiscal Years 6/1/2017-6/30/2019 Through the California Department of Public Health (CDPH) and Authorize the Health Services Director to Sign

Enactment No: Resolution No. 2017-138

- 7.15 Approve Purchase of John Deere 1570 Terrain Cut Commercial Mower and Discharge Deck from Belcorp Ag, LLC and Authorize the Public Services Director to Issue a Purchase Order in the Amount of \$33,974.02
- 7.16 Approve Amendment Three to the Contract between the County of Lake and the Middletown Rancheria Band of Pomo Indians for Tribal Cultural Monitoring in an amount not to exceed \$276,000; and authorize the Chair to sign

*Supervisor Simon recused himself from this item due to tribal conflict.*

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

*Chair Smith 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 Steele, and by vote of the Board, approved Amendment Three to the Contract between the County of Lake and the Middletown Rancheria Band of Pomo Indians for Tribal Cultural Monitoring in an amount not to exceed \$276,000 and authorized the Chair to sign. The motion carried by the following vote:**

**Ayes- Supervisors:** 4 - Smith, Steele, Brown and Scott

**Recused- Supervisors:** 1 - Simon

- 7.17** Approve Contract Between the County of Lake and Adventist Health Clear Lake with the Donation Amount of \$70,276.80 per Fiscal Year, for the Services of County Eligibility Workers from July 1, 2017 to June 30, 2020; and authorize the Chair to Sign.

On motion of Supervisor Steele, and by vote of the Board, approved consent agenda items 7.1 through 7.17, with the exception of item 7.16, which was pulled and taken up immediately after. The motion carried by the following vote:

**Ayes- Supervisors:** 5 - Smith, Steele, Brown, Scott and Simon

## **8. Timed Items**

### **8.1 9:05 A.M. - Public Input**

*Marilyn Swan and Cheri Kessner spoke.*

- 8.2** 9:06 A.M. - Presentation of Proclamation Designating the Month of October 2017, as Domestic Violence Awareness Month in Lake County, California

*Supervisor Steele read the proclamation into the record and presented it to Lake Family Resource Center Executive Director Jennifer Dodd. Many attendees from Lake Family Resource Center were present.*

- 8.3** 9:10 A.M. - Consideration of Update and Discussion on the Sulphur Fire Response and Recovery

*County Administrative Officer Carol Huchingson presented the item to the Board. Community Development Director Bob Massarelli was present and spoke. Water Resources Director Phil Moy and Sheriff Brian Martin were also present and spoke.*

*Assessor-Recorder Richard Ford was present and informed the Board that assessments and tax bills had already been scheduled for mailing on all properties including the fire area. Auditor Cathy Saderlund was present and spoke regarding refunds and role corrections on tax bills for the disaster. Treasurer-Tax Collector Barbara Ringin was also present and addressed the process for tax refunds.*

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

- 8.4** 9:15 A.M. - Consideration 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. Public Health Director Denise Pomeroy and Environmental Health Director Ray Ruminski were present and spoke.*

*Chair Smith 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 Steele, and by vote of the Board, approved the Proclamation of a Local Health Emergency by the Lake County Health Officer. The motion carried by the following vote:

**Ayes- Supervisors:** 5 - Smith, Steele, Brown, Scott and Simon

- 8.5** 9:16 A.M. - (a) 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; and (b) Update on Valley Fire Debris Insurance Collection Project.

*a) Sheriff Brian Martin presented the item to the Board.*

*b) Administrative Analyst Marcy Harrison presented an update to the Board regarding the Valley Fire debris insurance collection project.*

*Chair Smith 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 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:** 5 - Smith, Steele, Brown, Scott and Simon

- 8.6** 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 Smith 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:** 5 - Smith, Steele, Brown, Scott and Simon

- 8.7** 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 Smith 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 Steele, 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:** 5 - Smith, Steele, Brown, Scott and Simon

- 8.8** 9:20 A.M. - Consideration of an Urgency Ordinance Prohibiting Rental Housing Price Gouging in the County of Lake during a State of Emergency

*Supervisor Brown presented the item to the Board.*

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

**Supervisor Brown offered Ordinance No. 3067, and it was passed by roll call vote:**

**Ayes- Supervisors:** 5 - Smith, Steele, Brown, Scott and Simon

- 8.9** 9:22 A.M. - Consideration of Request for Board Approval of Recommended Changes to Paid County Emergency Leave Policy, including changing the title of said policy to "Paid Emergency Leave Policy"

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

*Chair Smith asked if anyone present wished to speak and Connie Kosla spoke. 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 the recommended changes to Paid County Emergency Leave Policy, including changing the title of said policy to "Paid Emergency Leave Policy". The motion carried by the following vote:**

**Ayes- Supervisors:** 4 - Smith, Steele, Scott and Simon

**Absent- Supervisors:** 1 - Brown

- 8.10** 9:30 A.M. - HEARING - Consideration of proposed Notice of Assessment and Recordation of Lien for Nuisance Abatement, in the amount of \$4,476.65, on property located at 3427 Scotts Creek Road, Lakeport (APN 005-029-36 - Peter Le)

*All parties to the hearing were sworn in by the Clerk. Property Owner Peter Le was not present.*

*Community Development Code Enforcement Officer Mike Penhall presented the item to the Board. Code Enforcement Program Supervisor Kathy Freeman was also present. A PowerPoint presentation of the property was given.*

*Chair Smith opened the public hearing. No one wished to speak and the public hearing was closed.*

**On motion of Supervisor Scott, and by vote of the Board, confirmed the assessment of \$4,476.65, on property located at 3427 Scotts Creek Road, Lakeport (APN 005-029-36 - Peter Le) and directed staff to record a Notice of Lien against the property. The motion carried by the following vote:**

**Ayes- Supervisors:** 4 - Smith, Steele, Scott and Simon

**Absent- Supervisors:** 1 - Brown

- 8.11** 9:35 A.M. - HEARING - Consideration of proposed Notice of Assessment and Recordation of Lien for Nuisance Abatement, in the amount of \$2,274.68, on property located at 7190 Inyo Street, Nice (APN 031-211-16 - Chandra Nailor)

*All parties to the hearing were sworn in by the Clerk. Property owner Chandra Nailor was not present.*

*Community Development Code Enforcement Officer Mike Penhall presented the item to the Board. Code Enforcement Program Supervisor Kathy Freeman was also present. A PowerPoint presentation of the property was given.*

*Chair Smith opened the public hearing. No one wished to speak and the public hearing was closed.*

**On motion of Supervisor Steele, and by vote of the Board, confirmed the assessment of \$2,274.68, on property located at 7190 Inyo Street, Nice (APN 031-211-16 - Chandra Nailor) and directed staff to record a Notice of Lien against the property. The motion carried by the following vote:**

**Ayes- Supervisors:** 4 - Smith, Steele, Scott and Simon

**Absent- Supervisors:** 1 - Brown

- 8.12** 9:40 A.M. - HEARING - Consideration of proposed Notice of Assessment and Recordation of Lien for Nuisance Abatement, in the amount of \$3,264.77, on property located at 5980 E. State Hwy 20, Lucerne (APN 034-061-03 - Virginia Hearn)

*All parties to the hearing were sworn in by the Clerk. Property owner Virginia Hearn was not present and requested a continuance by a message left on voice mail. A motion was made to deny the continuance and hear the case.*

*Community Development Code Enforcement Officer Mike Penhall presented the item to the Board. Code Enforcement Program Supervisor Kathy Freeman was also present. A PowerPoint presentation of the property was given.*

*Chair Smith opened the public hearing. No one wished to speak and the public hearing was closed.*

**On motion of Supervisor Steele, and by vote of the Board, confirmed the assessment of \$3,264.77, on property located at 5980 State Hwy 20, Lucerne (APN 034-061-03 - Virginia Hearn) and directed staff to record a Notice of Lien against the property. The motion carried by the following vote:**

**Ayes- Supervisors:** 4 - Smith, Steele, Scott and Simon

**Absent- Supervisors:** 1 - Brown

- 8.13** 9:45 A.M. - Consideration and Discussion of a Motion to Support the Lake County Arts Council's Branding of Lake County as an Arts Destination

*Supervisor Scott introduced the item to the Board. Lake County Arts Council Board Members Martha Mincer and Conni Lemen-Kosla were present and gave a PowerPoint presentation on the Rural Arts Initiative.*

*Chair Smith asked if anyone present wished to speak and Joan Moss spoke. No one else 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 to Support the Lake County Arts Council's Branding of Lake County as an Arts Destination. The motion carried by the following vote:**

**Ayes- Supervisors:** 3 - Steele, Scott and Simon

**Absent- Supervisors:** 2 - Smith and Brown

## **9. Non-Timed Items**

### **9.1 Supervisors' weekly calendar, travel and reports**

**9.2** Consideration of the Following Appointment:

Maternal, Child and Adolescent Health (MCAH) Advisory Board

*Chair Steele 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, appointed Daphne G. Colacion to the Maternal, Child and Adolescent Health Advisory Board. The motion carried by the following vote:**

**Ayes- Supervisors:** 3 - Steele, Scott and Simon

**Absent- Supervisors:** 2 - Smith and Brown

**9.3** SECOND READING - Consideration of Ordinance Amending Article 72 of the Lake County Code to Allow the Outdoor Cultivation of Medical Cannabis in "RL" Rural Lands and to Create a Certification of Compliance Process for Cannabis Cultivation

*Chair Smith presented the item to the Board.*

*Chair Smith asked if anyone present wished to speak and the following people spoke: Joan Moss and Michael Green. No one else wished to speak and the public input portion of this item was closed.*

**Supervisor Comstock offered Ordinance No. 3068, and it was passed by roll call vote:**

**Ayes: Supervisors Simon, Steele, Scott and Smith**

**Nays: Supervisor Brown**

Enactment No: Ordinance No. 3068

**10. Closed Session**

*Chair Smith announced that the Board would now go into Closed Session for the reasons stated on the agenda.*

**10.1** (Sitting as the Lake County IHSS Public Authority Board of Directors) - Conference with Labor Negotiator: (a) Agency Negotiator: Crystal Markytan and F. Buchanan (b) Employee Organization: California United Homecare Workers Union AFSCME/SEIU Local 4034

**This item was pulled due to the North Bay fires.**

**10.2** Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9(d)(1): Loberg v. County of Lake, et al.**10.3** Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9(d)(1): LCCOA v. County of Lake, et al.

*The Board reconvened into Regular Session at 12:55 p.m. having taken no action.*



## 11. Adjournment

*There being no further business, the Board of Supervisors adjourned at 12:56 p.m.*

**CAROL J. HUCHINGSON**  
Clerk of the Board

By: \_\_\_\_\_  
Carolyn Purdy  
Assistant Clerk of the Board

\_\_\_\_\_  
Chair-Lake County Board of Supervisors