



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Draft BOARD OF SUPERVISORS

Tuesday, January 29, 2019

9:00 AM

Board Chambers

SPECIAL MEETING - 5th Tuesday

1. Call to Order

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

Present: 5 - Vice Chair Simon, Supervisor Sabatier, Supervisor Crandell, Chair Scott and Supervisor Brown

2. Moment of Silence

A moment of silence was observed and dedicated to Lorraine Gatton.

3. Pledge of Allegiance

Led by Melissa Fulton of the Lake County Chamber of Commerce.

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 Agreement with the County of Lake and the Lake County Arts Council for the Display of Art in the County Courthouse and Authorize the Chair to Sign

5.2 Adopt a Resolution to "Opt-In" to Outreach Agreement with the California Complete Count Census 2020

Enactment No: Resolution No. 2019-06

5.3 Adopt Resolution approving Agreement No. 18-0250 with the State of California, Department of Food and Agriculture and authorizing Execution of the Contractor Certification Clause and Signatures for Insect Trapping Activities for the FY 2018-19

Enactment No: Resolution No. 2019-07

5.4 Approve Amendment 1 to the Agreement between the County of Lake and Paragons, LLC. For the Coordination of Activities Involved with the No Place Like Home (NPLH) Grant for Fiscal Year 2018-19.

This item was carried over to February 5, 2019.

- 5.5** Approve Amendment No. 1 to the Agreement between the County of Lake and North Valley Behavioral Health, LLC. for Acute Inpatient Psychiatric Hospital Services and Professional Services Associated with Acute Inpatient Psychiatric Hospital Services for Fiscal Year 2018-19 for a new contract maximum of \$250,000 and authorize the Chair to sign

This item was carried over to February 5, 2019.

- 5.6** Adopt Resolution Approving Amendment A01 to the Standard Agreement for the Multi-Year Contract between the County of Lake and the Department of Health Care Services for Substance Abuse Block Grant for Fiscal Year 2017-18 through Fiscal Year 2019-20, and authorizing the Behavioral Health Administrator to sign the Amendment.

This Item was carried over to February 5, 2019.

- 5.7** Approve Amendment 1 to the Agreement between the County of Lake and Vista Pacifica Enterprises, Inc. for Adult Residential Support Services and Specialty Mental Health Services for Fiscal Year 2018-19 in the amount of \$105,700 and authorize the Board Chair to sign the Amendment.

This item was carried over to February 5, 2019.

- 5.8** Approve Amendment 1 to the Agreement between the County of Lake and Mountain Valley Child and Family Services for Specialty Mental Health Services for Fiscal Year 2018-19 in the amount of \$75,000 and authorize the Board Chair to sign the Amendment.

This item was carried over to February 5, 2019.

- 5.9** Adopt the Resolution Approving the Sales Order and Services Agreement between the County of Lake and Cerner Corporation for the Purchase and Maintenance of the Cerner Integrated Behavioral Health System Known as Millennium for the Term of January 1, 2019 through June 30, 2026 and Authorizing the Behavioral Health Services Administrator to Sign the Sales Order and Services Agreement

This item was carried over to February 5, 2019.

- 5.10** Adopt Resolution to Amend the Budget for FY 2018-2019 by Appropriating Unanticipated Revenue for Public Health Services

Enactment No: Resolution No. 2019-08

- 5.11** Approve Long Distance Travel for Program Coordinator Elise Jones to Philadelphia PA from March 26 through March 29, 2019 to attend the NNPHI Open Forum for Quality Improvement and Innovation in Public Health

- 5.12** (Sitting as Kelseyville County Waterworks District #3, Board of Directors) Adopt Resolution accepting the Installation of Solar Energy Facility at KCWWD#3 Waste Water Treatment Plant as complete and authorize the Special Districts Administrator to sign the Notice of Completion

Enactment No: Resolution No. 2019-09

- 5.13** Approve the Plans and Specifications for the Southshore Behavioral Health Roof Project, Bid No. 18-14, and authorize the Public Services Director / Assistant Purchasing Agent to advertise for bids
- 5.14** Approve Plans and Specifications for the Upper Lake Pedestrian Improvements for Upper Lake High, Middle & Elementary Schools Project; Bid No. 18-11, State Project no.: ATPL-5914(103) and authorize the Public Works Director / Assistant Purchasing Agent to advertise for bids once authorization to proceed with construction phase is received from Caltrans
- 5.15** Approve Amendment One to Agreement between the County of Lake and Hanford ARC for Oak Mitigation Services for the Cole Creek at Soda Bay Rd and the Highland Creek at Highland Springs Rd Bridge Replacement Projects in Lake County, CA for an increase of \$8,587.26 and a revised amount not to exceed \$351,034.23 and authorize the Chair to sign

On motion of Supervisor Simon, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.3 and 5.10 through 5.15. Consent items 5.4 through 5.9 were postponed to February 5, 2019. The motion carried by the following vote:

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

6. Timed Items

6.1 9:05 A.M. - Public Input

Retired District Two Supervisor Jeff Smith spoke.

- 6.2** 9:15 A.M. - Report and Update of the Lake County Chamber of Commerce Certified Tourism Ambassador Program

Lake County Chamber of Commerce CEO Melissa Fulton presented the item to the Board. Ms. Fulton noted that the CTA Program Administrator Mickey Schaffer has agreed to waive the \$4,500 annual fee due to County budgeting constraints.

Chair Scott asked if anyone present wished to speak and the following people spoke: Holly Cassidy, Lisa Wilson, Pam Harpster and Julie Richardson. No one else wished to speak and the public input portion of this item was closed.

This item was informational only. No action was taken.

- 6.3** 9:30 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$4,464.81, for 24980 Morgan Valley Road, Lower Lake, CA (APN 012-014-15 - Terry Alan Rucks, Frederick G. Hosier & Wolter Bijleveld)

All parties to the hearing were sworn in by the Clerk. The appellents, nor representation thereof, were present.

Community Development Code Enforcement Officer Mike Penhall presented the staff report. Code Enforcement Program Supervisor Kathy Freeman was also present. Chair Scott opened the Public Hearing. No one present wished to speak and the public hearing was closed.

On motion of Supervisor Simon, and by vote of the Board, confirmed the assessment of \$4,464.81 for nuisance abatement on property located at 24980 Morgan Valley Road, Lower Lake, CA, also known as Assessor's Parcel Number 012-014-15, and owned by Terry Alan Rucks be confirmed and the Enforcement Official be directed to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of \$4,464.81 pursuant to Lake County Ordinance Code Chapter 13, Section 13-43. The motion carried by the following vote:

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

- 6.4** 9:35 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$1,749.85, for 16560 Rose Street, Lower Lake, CA (APN 024-342-16; previously APNs 024-342-12 & 13 - Steven M. Gerstmann)

All parties to the hearing were sworn in by the Clerk. The appellents, nor representation thereof, were present.

Community Development Code Enforcement Officer Mike Penhall presented the staff report. Code Enforcement Program Supervisor Kathy Freeman was also present. Chair Scott opened the Public Hearing. No one present wished to speak and the public hearing was closed.

On motion of Supervisor Simon, and by vote of the Board, confirmed the assessment of \$1,749.85 for nuisance abatement on property located at 16560 Rose Street, Lower Lake, CA, also known as Assessor's Parcel Number 024-342-16, and owned by Steven M. Gerstmann be confirmed and the Enforcement Official be directed to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of \$1,749.85 pursuant to Lake County Ordinance Code Chapter 13, Section 13-43. The motion carried by the following vote:

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

6.5 9:45 A.M. - Consideration of the future of Local Emergency Medical Services Agency (LEMSA) for Lake County and status of North Coast Emergency Medical Services (NCEMS)

Health Services Director Denise Pomeroy presented the item to the Board. Interim Public Health Officer Erin Gustafson, Chief Willie Sapeta of Lake County Fire Protection, Dan Peterson and Ed Scheffield of Sutter Lakeside were also present and spoke.

Chair Scott asked if anyone present wished to speak and the following people spoke: Larry Carstead and Louis Bruhnke of Northcoast EMS. No one else wished to speak and the public input portion of this item was closed.

There was Board consensus for staff to bring back a recommendation for consideration on February 5th, and to check with the state to determine any funding options.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 Discussion and Consideration of Resolutions of Intention to Create (a) Zone of Benefit Clearlake Riviera Within CSA No. 23; (b) Zone of Benefit Buckingham Within CSA No. 23; (c) Zone of Benefit Riviera West Within CSA No. 23; and (d) Zone of Benefit Riviera Heights Within CSA No. 23

Supervisor Brown presented the item to the Board. There was concern surrounding the cost of staff time, however, it was the understanding of County Counsel Anita Grant that Auditor-Controller Cathy Saderlund had factored in administrative costs in her fiscal analysis. Ms. Grant also clarified that the Elections department would not be handling the proposed benefit zone, as it is not a typical Election, therefore it does not carry the same cost as a regular election going on a formalized County ballot.

Supervisor Brown stated that funds generated by this ballot, should it pass, would not be utilized to abate government agency (County, Federal or State) owned properties. And while Code Enforcement will be involved, volunteers will be working with the fire department to identify priority lots of those 4,500 lots within the benefit zone.

Chair Scott asked if anyone present wished to speak and the following people spoke: Bill Groody, Julie Richardson, and Tom Nixon. No one else wished to speak and the public input portion of this item was closed.

(a) Supervisors Brown offered the Resolution and it was passed by roll call vote:

Ayes- Supervisors: 4- Sabatier, Crandell, Brown and Scott

Nayes- Supervisors: 1- Simon

(b) Supervisors Brown offered the Resolution and it was passed by roll call vote:

Ayes- Supervisors: 4- Sabatier, Crandell, Brown and Scott

Nayes- Supervisors: 1- Simon

(c) Supervisors Brown offered the Resolution and it was passed by roll call vote:

Ayes- Supervisors: 4- Sabatier, Crandell, Brown and Scott

Nayes- Supervisors: 1- Simon

(d) Supervisors Brown offered the Resolution and it was passed by roll call vote:

Ayes- Supervisors: 4- Sabatier, Crandell, Brown and Scott

Nayes- Supervisors: 1- Simon

Enactment No: (a) Resolution No. 2019-10; (b) Resolution No. 2019-11; (c) Resolution No. 2019-12; (d) Resolution No. 2019-13

7.3 Consideration of the following appointments:

Animal Control Advisory Board
First 5 Lake County
Fish and Wildlife Advisory Board
Lucerne Area Town Hall
Middletown Cemetery District
Spring Valley CSA #2

Chair Scott introduced the item to the Board.

Chair Scott 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 reappointment of Paula Werner (District 1) and Susan Cannon (District 4) to the Animal Care and Control Advisory Board. The motion carried by the following vote:

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

On motion of Supervisor Brown, and by vote of the Board, approved the appointment of Derrick Barnes, MD to the First Five Lake County Advisory Board. The motion carried by the following vote:

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

On motion of Supervisor Brown, and by vote of the Board, approved the reappointment of Lynette Shimek (wildlife conservation), appointment of Alix Tyler (land conservation), reappointment of Greg Giusti (education), reappointment of Bobby Dutcher (agriculture), reappointment of Terry Knight (recreation), reappointment of Roland LeDoux (District 1) and reappointment of Kirk Andrus (District 5) to the Fish and Wildlife Advisory Board. The motion carried by the following vote:

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

On motion of Supervisor Crandell, and by vote of the Board, approved the reappointment of Mark Miller (District 3) to the Fish and Wildlife Advisory Board. The motion carried by the following vote:

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

On motion of Supervisor Crandell, and by vote of the Board, approved the appointment John Jensen, Danielle Primas, Darnell "Skip" Walton and Joseph Jones to the Lucerne Area Town Hall (LATH). The motion carried by the following vote:

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

On motion of Supervisor Simon, and by vote of the Board, approved the appointment of Bonnie Albertson to the Middletown Cemetery District. The motion carried by the following vote:

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

On motion of Supervisor Crandell, and by vote of the Board, approved the reappointment of Luther "Monte" Williams, Mark W. Currier and Scott Prewett to the Spring Valley CSA #2 Advisory Board. The motion carried by the following vote:

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

7.4 Consideration of Proposed Findings of Fact and Decision in the Appeal of Linda Shields Appeal AB 18-02 - Telecommunication Tower and Variance Applicant: Verizon Wireless (c/o Epic Wireless)

County Counsel Anita Grant presented the item to the Board.

Chair Scott asked if anyone 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 Findings of Fact and authorized the Chair to Sign. The motion carried by the following vote:

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

Recused- Supervisors: 1- Crandell

On motion of Supervisor Simon, and by vote of the Board, denied the appeal of Linda Shields - Appeal AB 18-02 - Telecommunication Tower and Variance Applicant: Verizon Wireless (c/o Epic Wireless). The motion carried by the following vote:

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

Recused- Supervisors: 1- Crandell

7.5 Consideration of Proposed Findings of Fact and Decision in the Appeal of Liyu Shen Appeal AB 18-03 - Variance for a Use Permit for Indoor Cannabis Cultivation within 1000 Feet of a Drug and Alcohol Rehabilitation Facility

County Counsel Anita Grant presented the item to the Board.

Chair Scott 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 the Findings of Fact and authorized the Chair to Sign. The motion carried by the following vote:

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

Recused- Supervisors: 1- Crandell

On motion of Supervisor Brown, and by vote of the Board, denied the Appeal of Liyu Shen- Appeal AB 18-03 - Variance for a Use Permit for Indoor Cannabis Cultivation within 1000 Feet of a Drug and Alcohol Rehabilitation Facility. The motion carried by the following vote:

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

Recused- Supervisors: 1- Crandell

7.6 Consideration of New Policy entitled Employee Referral Program, as a Pilot for the period 02/01/2019 – 06/30/2020

Human Resources Director Pamela Nichols presented the item to the Board. Human Resources Analyst Jesse Puett was also present.

Chair Scott 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 Crandell, and by vote of the Board, approved the Employee Referral Program as a pilot for the period February 1, 2019 through June 30, 2019. The motion carried by the following vote:

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

7.7 Consideration of (a) Proposal to restructure the Sheriff's Department; and (b) Resolution amending Resolution No. 2018-132 establishing position allocations for fiscal year 2018-2019

At the request of the department, this item was postponed to a date uncertain.

- 7.8** Consideration of (a) Purchase of seven (7) 2019 Chevy Tahoe Police Pursuit Vehicles from Matt Mazzei Chevrolet in the amount of \$289,662.87 from the Sheriff/Pursuit Replacement Budget Unit 2217, Object Code 62.72; and (b) Purchase of four (4) Chevy Malibu unmarked vehicles from Matt Mazzei Chevrolet in the amount of \$81,978.76 from the Sheriff/Pool Replacement Budget Unit 2216, Object Code 62.72; and (c) Waiving the County Purchasing Ordinance section 41.3(b) allowing the 10% local vendor preference to exceed \$10,000; and (d) Purchase of vehicle equipment from Precision Wireless in the amount of \$58,631.81 from the Sheriff/Pursuit Replacement Budget Unit 2217, Object Code 28.30; and (e) Authorizing the Sheriff/Coroner or his designee to issue purchase orders for said purchases

Sheriff's Department Captain Chris Chiawalkowski presented the item to the Board.

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

(a) On motion of Supervisor Brown, and by vote of the Board, approved the purchase of seven (7) 2019 Chevy Tahoe Police Pursuit Vehicles from Matt Mazzei Chevrolet in the amount of \$289,662.87 from the Sheriff/Pursuit Replacement Budget Unit 2217, Object Code 62.72. The motion carried by the following vote:

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

(b) On motion of Supervisor Brown and by vote of the Board, approved the purchase of four (4) Chevy Malibu unmarked vehicles from Matt Mazzei Chevrolet in the amount of \$81,978.76 from the Sheriff/Pool Replacement Budget Unit 2216, Object Code 62.72. The motion carried by the following vote:

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

(c) On motion of Supervisor Brown, and by vote of the Board, waived the County Purchasing Ordinance section 41.3(b) allowing the 10% local vendor preference to exceed \$10,000. The motion carried by the following vote:

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

(d) On motion of Supervisor Brown, and by vote of the Board, approved the purchase of vehicle equipment from Precision Wireless in the amount of \$58,631.81 from the Sheriff/Pursuit Replacement Budget Unit 2217, Object Code 28.30. The motion carried by the following vote:

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

e) On motion of Supervisor Brown, and by vote of the Board, authorized the Sheriff/Coroner or his designee to issue purchase orders for said purchases. The motion carried by the following vote:

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

8. Closed Session

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

- 8.1** Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9(d)(1): County of Lake, et al. v. PG&E, et al

The Board reconvened into Regular Session at 12:42 p.m. having taken no action.

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 12:42 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Carolyn Purdy
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors