



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, September 10, 2019

9:00 AM

Board Chambers

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Scott. 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 Sabatier, Supervisor Crandell, Supervisor Brown and Chair Scott

2. Moment of Silence

A moment of silence was observed.

3. Pledge of Allegiance

Led by Todd Metcalf.

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 Adopt Resolution Expressing Support for the Lower Lake High School Homecoming Parade

Enactment No: Resolution No. 2019-128

5.2 Approve Letter of Support for Lake County Watershed Protection District's grant application for the Scotts Creek Scientific Study.

5.3 Adopt Resolution Amending Resolution No. 2018-118 Establishing Temporary Alternative Office Hours for County offices located in and surrounding the Lake County Courthouse

This item was pulled for discussion later in the meeting. Deputy County Administrative Officer Matthew Rothstein presented the item.

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

Supervisor Sabatier offered the Resolution and it was passed by roll call vote:

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

Enactment No: Resolution No. 2019-136

5.4 Approve Minutes of the Board of Supervisors meeting held June 4, 2019, June 11, 2019, June 25, 2019, July 9, 2019, and August 27, 2019.

5.5 Adopt Resolution Approving Agreement No.19-0267-022-SF with California Department of Food and Agriculture for compliance with the Sudden Oak Death Quarantine Program for period July 1, 2019 through June 30, 2020 in the amount of \$6,483.28

Enactment No: Resolution No. 2019-129

5.6 Adopt Resolution Approving Agreement No.19-0268-029-SF with the California Department of Food and Agriculture to authorize the execution of the Light Brown Apple Moth Detection Program July 1, 2019 through June 30, 2020 in the amount of \$2,484.00.

Enactment No: Resolution No. 2019-130

5.7 Adopt Resolution Approving Agreement No. 19-0630-000-SA with California Department of Food and Agriculture for compliance with the Nursery Inspection program for period July1, 2019 through June 30, 2020 in the amount of \$500.00.

Enactment No: Resolution No. 2019-131

5.8 (a) Authorize to Appoint David Schwenger as Interim Assistant Assessor-Recorder; and (b) Authorize to Appoint Lan Dia Janakes as Interim Chief Deputy Assessor-Recorder - Valuations

This item was pulled and continued to a future date.

5.9 (a) Approve the District Attorney's Equitable Sharing Agreement and Certification for the Fiscal Year July 1, 2018 to June 30, 2019 and Authorize the Chair to Sign; and (b) Authorize Doris Lankford to Electronically Submit the Report

5.10 Approve Out-of-State Travel for Claudia Mendez and Crystal Martin, October 20, 2019-October 23, 2019 to the Leave No Victim Behind IV Conference in Las Vegas, NV.

5.11 Approve the Certification of Assurance of Compliance Form for the Victim-Witness Assistance Program for 10/1/19 through 9/30/20 and authorize the Chair to Sign.

5.12 Approve Annual Renewal of Veterans Subvention Program Certificate of Compliance and Medi-Cal Cost Avoidance Program Certificate and authorize the Board Chair to Sign

5.13 Approve Long Distance Travel for Emillie Feenan to attend the CityMatCH Maternal and Child Health Leadership Conference in Providence, RI from September 20th through 26th, 2019 in the amount of \$2,500

5.14 (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; (b) Reconfirm Agreement for Medical Services in Lake County's Detention Facility with California Forensic Medical Group in the amount of \$2,745,582 for FY 2019-2022

5.15 (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; (b) Approve the five-year Agreement between the County of Lake and Superion, LLC for Financial Systems hosting and migration services, with a one-time setup cost of \$10,000, and \$62,209.95 annual cost in year one, and authorize the Board Chair to sign

5.16 Adopt Resolution for Temporarily Prohibiting Parking and Authorizing Removal of Vehicles on Main Street (Between 2nd and 4th Street) in Kelseyville for the Kelseyville Pear Festival Farm to Fork Dinner and Dance, September 27, 2019.

Enactment No: Resolution No. 2019-132

5.17 Adopt Resolution for Temporarily Prohibiting Parking and Authorizing Removal of Vehicles on Various Roads in Kelseyville for the Kelseyville Pear Festival, September 27 & 28, 2019.

Enactment No: Resolution No. 2019-133

5.18 Approve the Continuation of a Local Emergency due to the Atmospheric River Event 2019.

5.19 Approve the Continuation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires).

5.20 Approve the Continuation of a Local Emergency due to the Pawnee Fire Incident.

5.21 Approve the Continuation of a Local Emergency due to the Sulphur Fire Incident.

5.22 Approve the Continuation of a Local Emergency due to the Clayton Fire.

5.23 Approve the Continuation of a Local Emergency due to the Atmospheric River Storm 2017.

5.24 (Sitting as the Lake County Sanitation District, Board of Directors) Approve Amendment #1 to the Agreement between Lake County Sanitation District and California Exterminators Alliance extending the contract for one year under the same terms and conditions in the amount of \$29,348, and authorize the Chair to sign.

5.25 Approve the purchase of communications equipment from (a) Fisher Wireless in the estimated amount of \$20,000 and; (b) County of Mendocino in the estimated amount of \$12,000 and; (c) Dailey-Wells in the estimated amount of \$11,000 to be installed on Mt. St. Helena and Authorize the Sheriff to sign the purchase orders

- 5.26** (Sitting as Lake County Watershed Protection District, Board of Directors) Adopt Resolution Authorizing the Lake County Watershed Protection District to File Grant Application and Signature Authorization to Execute Agreement for a California State Parks Division of Boating and Waterways Quagga and Zebra Mussel Infestation Prevention FY 2018/19 Grant Titled Clear Lake QZ Mussel Prevention Implementation Project FY 2018-19 Project.

Enactment No: Resolution No. 2019-134

- 5.27** (Sitting as Lake County Watershed Protection District, Board of Directors) Approve the First Amendment to an Agreement with the Regents of the University of California in the amount of \$110,670 for Sediment Sampling in Clear Lake, and authorize the Chair to sign.

- 5.28** (Sitting as Lake County Watershed Protection District, Board of Directors) Adopt Resolution Authorizing Lake County Watershed Protection District to File Grant Application for the Scientific Study of the Scott's Creek Watershed.

Enactment No: Resolution No. 2019-135

- 5.29** ADDENDUM: Approve Side Letter to the Lake County Deputy Sheriff's Association (LCDSA) Memorandum of Understanding (MOU) and Authorize Lead Negotiator to Sign.

On motion of Supervisor Sabatier, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.29, with the exception of Item 5.3, which was pulled for discussion and 5.8, which was continued to a later date. The motion carried by the following vote:

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

6. Timed Items

6.1 9:00 A.M. - PUBLIC HEARING - Consideration of the Final Recommended Budget for Fiscal Year 2019/2020 for the County of Lake and Special Districts Governed by the Board of Supervisors

County Administrative Officer Carol Huchingson presented the item to the Board. For the final budget, there was discussion to reappropriate funds from the Harbor Study (\$50,000), Nice Clubhouse Remodel (\$50,000) and General Fund Support for Code Enforcement (\$140,000) to the feasibility study planned through participation in the Potter Valley Ad Hoc Committee and Culvert Funding for the Scotts Valley Area. Public Works Director Scott DeLeon, Public Services Director Lars Ewing, Community Development Director Michalyn DelValle and Auditor-Controller Cathy Saderlund spoke.

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) Supervisor Brown offered the Resolution, as amended, and it was passed by roll call vote:

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

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

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

(c) On motion of Supervisor Brown, and by vote of the Board, approved the continuation of the Informal Hiring Freeze for General Fund departments, delegating authority to the County Administrative Officer to waive as appropriate. The motion carried by the following vote:

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

6.2 9:05 A.M. - Public Input

There was no public input.

6.3 9:06 A.M. - Consideration of Continuation of a Local Health Emergency and Order Prohibiting the Endangerment of the Community through the Unsafe Removal, Transportation, and Disposal of Fire Debris for the Mendocino Complex Fire.

Health Services Director Denise Pomeroy presented the item to the Board. Ms. Pomeroy reported that Cal Recycle has 17 properties remaining for clean up and 3 to 5 properties for abatement that will be finished by the end of October 2019. Public Services Director Lars Ewing spoke.

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 Sabatier, and by vote of the Board, approved the continuation of a Local Health Emergency and Order Prohibiting the Endangerment of the Community through the Unsafe Removal, Transportation, and Disposal of Fire Debris for the Mendocino Complex Fire. The motion carried by the following vote:

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

6.4 9:10 A.M. - Presentation of Employee Service Awards

Human Resources Deputy Director Pam Samac and Chair Scott presented the Employee Service Awards to staff.

Ceremonial item only.

6.5 9:30 A.M. - Discussion and Direction about seeking to offer voters the ability to vote on a Sales Tax Measure to Improve Roads.

(a) Supervisor Sabatier introduced the item. Public Works Director Scott DeLeon presented the item to the Board.

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

(b) Later in the meeting, Supervisor Brown requested to reopen this item for further discussion.

Supervisor Brown asked that this item be continued to a future date as the Lake County Deputy Sheriff's Association is also planning a future tax measure and would like a discussion with this group.

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) There was Board consensus to support the Area Planning Council survey regarding a sales tax measure to improve roads in Lake County.

(b) On motion of Supervisor Sabatier, and by vote of the Board, approved to reopen the item for discussion. The motion carried by the following vote:

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

There was Board consensus to continue this item to hear from the Lake County Deputy Sheriff's Association on their position of a sales tax measure. The survey regarding the tax measure will be placed on hold.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 Consideration of Appointment of a Supervisor as an Alternate to the Eel Russian River Commission (ERRC)

Supervisor Crandell 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, appointed Supervisor Sabatier as the alternate for the Eel Russian River Commission (ERRC). The motion carried by the following vote:

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

- 7.3** Discussion and Consideration of (a) the Initial Draft of an Ordinance Amending Specified Sections of Article 1 of Chapter 3 of the Lake County Code Relating to Agriculture and Plant Protection Pertaining to Industrial Hemp; and (b) the Formation of an Ad-Hoc Committee to Consider making Recommendations to Industrial Hemp Regulations.

Agricultural Commissioner Steve Hajik presented the item to the Board. County Counsel Anita Grant spoke.

Chair Scott asked if anyone present wished to speak and the following people spoke: Rob Shergus, Raymond Housnick, Michael Green, Mike Mitzel, Taylor, Caleb Marks, Chris Goldman, Tom Nickel, Mark Borghesani, Richard Derum, Danielle Fontanau, Erin McCarrick, Mary Draper, Jennifer Smith, Hank Lescher, Michael Wagner, Lance Williams and Jason Tourmano. No one else wished to speak and public input portion of this item was closed.

There was Board consensus to form an Industrial Hemp Ad-Hoc Committee to make further recommendations on the Draft Ordinance. The committee will consist of 7 members; 1 hemp cultivator, 1 cannabis cultivator, 1 each from the Community Development Department, Agriculture Department, the Farm Bureau and 2 Supervisors (Sabatier and Brown). This will be a Brown Act compliant committee and applications will be accepted for consideration by the Board for the hemp and cannabis cultivator members. An advertisement will be placed in the Record Bee for applicants.

- 7.4** Consideration of Change Order No. One for Clark Drive Pavement Repair Project; Federal Project No. BRLS-5914(025); Bid No. 18-24; for an increase of \$2,251.15 and a revised contract amount of \$299,578.15

Public Works Director Scott DeLeon 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 Simon, and by vote of the Board, approved Change Order No. One for Clark Drive Pavement Repair Project; Federal Project No. BRLS-5914(025); Bid No. 18-24; for an increase of \$2,251.15 and a revised contract amount of \$299,578.15. The motion carried by the following vote:

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

- 7.5** Consideration of Presentation of the Flood Insurance Assessment for Unincorporated Lake County for 2019

Interim Water Resources Director Scott DeLeon 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.

Presentation only.

8. Closed Session

Chair Scott announced that the Board would now go into Closed Session at 12:35 p.m. for the reasons stated on the agenda.

8.1 Public Employee Evaluations

Title: Animal Care and Control Director

Title: County Administrative Officer

8.2 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 1:55 p.m. having taken no action.***9. Adjournment***There being no further business, the Board of Supervisors adjourned at 1:55 p.m.***CAROL J. HUCHINGSON**

Clerk of the Board

By: _____

Carolyn Purdy

Assistant Clerk of the Board

Chair-Lake County Board of Supervisors