



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, March 10, 2020

9:00 AM

Board Chambers

1. Call to Order

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

Absent: Supervisor Crandell

2. Moment of Silence

A moment of silence was dedicated to Californians who lost their lives to COVID-19.

3. Pledge of Allegiance

Led by Russ Cremer.

4. Consideration of Extra Items Not Appearing on the Posted Agenda

- 4.1 EXTRA ITEM** - (a) Consideration of "extra" agenda item; and (b) Consideration of Resolution Ratifying the Declaration of Local Health Emergency Related to the 2019 Coronavirus (COVID-19) as Proclaimed by the Lake County Public Health Officer

Public Health Officer Dr. Gary Pace presented the item to the Board. County Administrative Officer Carol Huchingson and County Counsel Anita Grant spoke.

Chair Simon 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 Sabatier, and by vote of the Board, approved to take this item up as an extra, as there is a need to take immediate action and the need for action came to attention of the County subsequent to the agenda being posted. The motion carried by the following vote:

Ayes- Supervisors: 3 - Sabatier, Scott, and Simon

Absent- Supervisor: 1 - Crandell

Noes- Supervisor: 1 - Brown

Enactment No: Resolution No. 2020-22

5. Approval of the Consent Agenda

- 5.1** Approve change in appointment of two Supervisors to serve on a committee with two City Council members from Clearlake and from Lakeport to develop, propose and demand solutions to PG&E-imposed Public Safety Power Shutoffs (PSPS)

- 5.2** Approve Geothermal Consultant Contract with Harold W. Bertholf, Inc. (Bertholf) and authorize chair to sign

This item was pulled from the consent agenda and taken up later in the day. County Administrative Officer Carol Huchingson presented the item to the Board.

Chair Simon 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 continued to a date uncertain.

- 5.3** Approve Amendment 1 to the Agreement between the County of Lake and Crestwood Behavioral Health for Adult Residential Support Services and Specialty Mental Health Services for Fiscal Year 2019-20 for an increase of \$400,000.00 and a new contract amount of \$1,200,000.00 and authorize the Chair to sign.

- 5.4** Approve the Agreement between the County of Lake and Bitfocus, Inc. for Clarity/Decipher Housing Management Information System (HMIS) for Fiscal Year 2019-20 for a contract maximum of \$25,930.25 and authorize the Board Chair to sign the Amendment.

This item was pulled from the consent agenda and taken up later in the day. County Administrative Officer Carol Huchingson presented the item to the Board.

Chair Simon 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 continued to a date uncertain.

- 5.5** Approve correction to a typographical error contained in the Minutes from the Board of Supervisors meeting from April 16, 2019, revising the vote for Item 6.5 to 4 Ayes and 1 Recused.

- 5.6** (a) Approve Waiver of the 900-Hour Extra Help Limitation for Extra Help District Attorney Investigator Aides, Robert McPherson and Billy Newsom, (b) Approve Waiver of the 900-Hour Extra Help Limitation for Extra Help Information Support Tech I, Ryan Clair, and (c) Approve Waiver of the 900-Hour Extra Help Limitation for Extra Help Legal Secretary, Myriam Ivette Herrera

- 5.7** Approve the Continuation of a Local Emergency due to the Pawnee Fire Incident.

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

- 5.9** Approve two Late Travel Claims and Authorize the Auditor to Process Payment of \$37.00 for Social Worker Celeste Feldman.

- 5.10** Adopt Resolution Authorizing the Transfer of Assets, Liabilities and Fund Equity in Fund 282, CSA #22 Mt. Hannah Water to Cobb Area County Water District per LAFCO File #2017-0001

Enactment No: Resolution No. 2020-23

- 5.11** Adopt Resolution Authorizing the Transfer of Assets, Liabilities and Fund Equity in Fund 278, Starview Water CSA #18 to Cobb Area County Water District Per LAFCO File #2017-0001

Enactment No: Resolution No. 2020-24

- 5.12** (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 the County of Lake and Bid4assets, Inc. for the period of March 10, 2020 through March 10, 2025 for Tax Default Public Auction Services for an amount not to exceed \$262,500; and authorize the Chair to sign.

This item was pulled from the consent agenda and taken up later in the day. Supervisor Sabatier presented the item to the Board. Treasurer-Tax Collector Barbara Ringen and County Counsel Anita Grant spoke. Assistant Treasurer-Tax Collector Elizabeth Martinez was present.

Chair Simon asked if anyone present wished to speak and the following people spoke: Bobby Dutcher and Russ Cremer. No one else 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, 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. The motion carried by the following vote:**

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

Absent- Supervisor: 1 - Crandell

- (b) On motion of Supervisor Brown, and by vote of the Board, approved agreement between the County of Lake and Bid4assets, Inc. for the period of March 10, 2020 through March 10, 2025 for Tax Default Public Auction Services for an amount not to exceed \$262,500 and authorized the Chair to sign. The motion carried by the following vote:**

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

Absent- Supervisor: 1 - Crandell

- (c) On motion of Supervisor Sabatier, and by vote of the Board, approved to bring back discussion of agreement between the County of Lake and Bid4assets, Inc. on June 23, 2020 to potentially expand the number of properties. The motion carried by the following vote:**

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

Absent- Supervisor: 1 - Crandell

- 5.13** (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 19/20 for professional research services related to Tax Default Land Sales in the amount of \$35,875.00.
- 5.14** Approve to waive 900-hour limit for Extra Help Quagga Mussel Coordinator Edward (Marty) Jones
- 5.15** Approve Letter of Support to Senator Jim Nielsen for a \$15 million one-time allocation in the 2020-21 California State Budget to fund a North State Public Safety Training Center in Yuba City, and authorize the Chair to sign.

On motion of Supervisor Sabatier, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.15 with the exception of Items 5.2, 5.4, and 5.12 which were pulled for discussion. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Crandell

6. Timed Items

6.1 9:05 A.M. - Public Input

There was no public input.

- 6.2** 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.

Public Health Officer Dr. Gary Pace presented the item to the Board. Environmental Health Director Jasjit Kang spoke.

Chair Simon 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 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: 4 - Sabatier, Scott, Brown, and Simon

Absent- Supervisor: 1 - Crandell

6.3 9:10 A.M. - Consideration of Update on the Coronavirus

Public Health Officer Dr. Gary Pace presented the item to the Board.

Chair Simon asked if anyone present wished to speak and the following people spoke: Olga Martin-Steele, Luisa Costa, and Chris Almind spoke. No one else wished to speak and the public input portion of this item was closed.

Report Only.

6.4 9:15 A.M. - ADDENDUM - Consideration of (a) Temporary Policy for Telework, and (b) Temporary Additional Leave Provisions for Employees due to COVID-19

County Administrative Officer Carol Huchingson presented the item to the Board. County Counsel Anita Grant, Sheriff Brian Martin, Public Services Director Lars Ewing, Special District Director Jan Coppinger, Public Health Officer Dr. Gary Pace, Agricultural Commissioner Steve Hajik, Social Services Director Crystal Markytan, Health Services Director Denise Pomeroy spoke.

Chair Simon 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 issue a survey to Department Heads regarding a Temporary Policy for Telework and to bring back the results of the survey to the next Board of Supervisors Meeting on March 17, 2020.

(b) Direction was given to staff to look at the existing Catastrophic Leave Policy to see what can be done to simplify the process and discuss with the Auditor-Controller about the possibility of loaning sick leave and how it would be tracked.

6.5 9:30 A.M. - PUBLIC HEARING - Appeal to Board of Supervisors, AB 19-05 for Major Use Permit UP 18-39 (Smith/Hosfelt Appeal)

All members of the hearing were sworn in by the Clerk. Interim Community Development Director Scott De Leon presented the item to the Board. Associate Planner Eric Porter presented a PowerPoint Presentation to the Board. Andre Ross, County Counsel Anita Grant, Vivian Smith, Todd Hosfelt, Trey Sherill, and Michael Smith spoke.

Chair Simon asked if anyone present wished to speak and the following people spoke: Lyn Hughes, Christopher Taylor, Lance Williams, and Shawn Dole. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Sabatier, and by vote of the Board, denied Appeal to Board of Supervisors, AB 19-05 for Major Use Permit UP 18-39 (Smith/Hosfelt Appeal), approving the Major Use Permit with revised conditions as presented by the Community Development Department. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Crandell

- 6.6** 10:00 A.M. - (Sitting as Lake County Housing Commission) Approve Administrative Plan for 2020, Authorize the Chair to Sign HUD Form HUD-50077-CR (Annual Civil Rights Certification and Board Resolution) to Submit to HUD Prior to April 17, 2020 Deadline.

The Board of Supervisors adjourned and convened as the Lake County Housing Commission. Commissioner Deborah Figueroa was present.

Social Services Director Crystal Markytan introduced the item to the Board. Housing Program Manager Kelli Page presented the item to the Board.

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

The Lake County Housing Commission adjourned and reconvened as the Board of Supervisors.

On motion of Commissioner Scott, and by vote of the Board, approved Administrative Plan for 2020, authorizing the Chair to Sign HUD Form HUD-50077-CR (Annual Civil Rights Certification and Board Resolution) to Submit to HUD Prior to April 17, 2020 Deadline. The motion carried by the following vote:

Ayes- Commissioners: 5 - Simon, Sabatier, Scott, Brown, Figueroa

Absent- Commissioner: 1 - Crandell

- 6.7** 10:15 A.M. - Discussion and Consideration of inspections done by our Building and Safety Division and by local fire departments

Supervisor Brown presented the item to the Board.

Chair Simon 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 from the agenda and continued to a date uncertain.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 Consideration of Ag Department Ordinance for Industrial Hemp Regulations

Supervisor Sabatier presented a PowerPoint presentation to the Board. County Counsel Anita Grant, Sheriff Brian Martin, and Agriculture Commissioner Steve Hajik spoke.

Chair Simon asked if anyone present wished to speak and the following people spoke: Hank Lescher, Jason Robinson, Lance Williams, Michael Green, Joey Gustafson

This item was continued to the March 17, 2020 Board of Supervisors Meeting.

7.3 Consideration of appointment of temporary representatives to meet for unrepresented management employees regarding salary and benefits

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

Chair Simon 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, appointed Chair Simon, Vice-Chair Sabatier, County Administrative Officer Carol Huchingson, and Deputy County Administrative Officer Stephen Carter as temporary representatives to meet with unrepresented management employees regarding salary and benefits. The motion carried by the following vote:

Ayes- Supervisors: 3 - Sabatier, Scott, and Simon

Absent- Supervisors: 2 - Crandell and Brown

7.4 Consideration of the following appointments:
East Region Town Hall (EaRTH)

Supervisor Sabatier presented the item to the Board.

Chair Simon 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, appointed Denise Loustalot to the Eastern Region Town Hall. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Crandell

7.5 Consideration of Change Order No. 1 with Coleman Environmental Engineering, Inc. for FEMA FMAG Culvert Replacement No. 1 & No. 2, Federal Project No.'s FMAG DR 5093-1-1R & FMAG DR 5112-1-1R, Bid No. 19-01, For an Increase of \$6,750.00 and a Revised Contract Amount of \$656,247.50, and Authorize the Chair to Sign.

Public Works Director Scott De Leon presented the item to the Board.

Chair Simon 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 Change Order No. 1 with Coleman Environmental Engineering, Inc. for FEMA FMAG Culvert Replacement No. 1 & No. 2, Federal Project No.'s FMAG DR 5093-1-1R & FMAG DR 5112-1-1R, Bid No. 19-01, for an Increase of \$6,750.00 and a revised Contract Amount of \$656,247.50, and Authorized the Chair to Sign. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Crandell

- 7.6** Consideration of Change Order No. 2 with Coleman Environmental Engineering, Inc. for FEMA FMAG Culvert Replacement No. 1 & No. 2, Federal Project No.'s FMAG DR 5093-1-1R & FMAG DR 5112-1-1R, Bid No. 19-01, For a decrease of \$10,947.17 and a Revised Contract Amount of \$645,300.33, and Authorize the Chair to Sign.

Public Works Director Scott De Leon presented the item to the Board.

Chair Simon 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 Change Order No. 2 with Coleman Environmental Engineering, Inc. for FEMA FMAG Culvert Replacement No. 1 & No. 2, Federal Project No.'s FMAG DR 5093-1-1R & FMAG DR 5112-1-1R, Bid No. 19-01, for a decrease of \$10,947.17 and a revised Contract Amount of \$645,300.33, and Authorized the Chair to Sign. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Crandell

- 7.7** Consideration of a Resolution Amending Resolution No. 2018-118 Establishing Temporary Alternative Office Hours for County offices Located in and Surrounding the Lake County Courthouse or Alternative Direction to Staff

County Administrative Officer Carol Huchingson presented the item to the Board. Health Services Director Denise Pomeroy, Assessor-Recorder Richard Ford, Public Services Director Lars Ewing, and Public Works/ Water Resource/ Interim Community Development Director Scott De Leon spoke.

Chair Simon asked if anyone present wished to speak and the following people spoke: Timothy Toye, Kim Hansen, and Mary Benson. No one else wished to speak and the public input portion of this item was closed.

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

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

Absent- Supervisor: 1 - Crandell

Enactment No: Resolution No. 2020-25

8. Closed Session

Chair Simon announced that the Board would now go into Closed Session at 4:56 p.m. for the reasons stated on the agenda.

- 8.1** Conference with Labor Negotiator: (a) Chief Negotiator: M. Long; County Negotiators: C. Huchingson and P. Samac; and (b) Employee Organizations: LCDDAA, LCDSA, LCCOA, LCEA, LCSEA and LCSMA
- 8.2** Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code section 54956.9(d)(1): Heart Consciousness Church v. County of Lake

8.3 Conference with (a) Temporary Representatives designated to meet with County Department Heads regarding salary and benefits and (b) Unrepresented management employees

8.4 Conference with Legal Counsel: Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2), (e)(3) Threat of Litigation – City of Clearlake

The Board reconvened into Regular Session at 5:50 p.m. having taken no action.

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 5:50 p.m.

CAROL J. HUCHINGSON

Clerk of the Board

By: _____

Johanna DeLong

Assistant Clerk of the Board

Chair-Lake County Board of Supervisors