



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, July 21, 2020

9:00 AM

Board Chambers

Please see agenda for public participation information and eComment submission on any agenda item.

1. Call to Order

The meeting was called to order at 9:01 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 Crandell, Supervisor Scott, Supervisor Brown and Chair Simon

2. Moment of Silence

A moment of silence was observed.

3. Pledge of Allegiance

Led by Supervisor Sabatier.

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 (a) Ratification of County Administrative Officer's action to send letters to tenants of the Harbor Village Artist Cottages to offer relief of rent during the COVID-19 Health Emergency; (b) Ratification of County Administrative Officer's action to send a letter to the tenant of the Courthouse Coffee Kiosk to offer relief of rent during the COVID-19 Health Emergency; and (c) Authorization for County Administrative Officer to evaluate future needs of tenants on a continuing basis to offer rent relief when necessary
- 5.2 Approve Agreement Between County of Lake and Cobb Area County Water District for Community Development Block Grant (CDBG) Project Fund Utilization under Agreement 18-CDBG-12872 between the County of Lake and Department of Housing and Community Development

- 5.3** Adopt Resolution Approving County of Lake Health Services Department to submit a Renewal Application and Certification Statement for the Maternal, Child and Adolescent Health (MCAH) Grant with the State of California, Department of Public Health for Fiscal Year 2020 through 2021, in the amount of \$298,367.23 and Authorizing the Board Chair to sign said Certification, and Health Services Director to sign application.

Enactment No: Resolution No. 2020-84

- 5.4** (a) Waive the formal bidding process, per Ordinance #2406, Purchasing Code 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 A&P Helicopters for Fiscal Year 2020/21 in the amount of \$100,000 and authorize the Chair to sign
- 5.5** Approve (a) Purchase of vehicle equipment from Precision Wireless in the amount of \$67,148.97 and installation costs in the amount of \$30,024.33 from the Sheriff/Pursuit Replacement Budget Unit 2217, Object Code 28.30; and (b) Authorize the Sheriff/Coroner or his designee to issue purchase orders for said purchases
- 5.6** Approve Contract Between County of Lake and North Coast Opportunities, Inc. for the Housing and Disability Advocacy Program, in the Amount of \$167,162 from April 1, 2020 to June 30, 2021, and Authorize the Chair to Sign.
- 5.7** Approve Fourth Amendment to the Lease Agreement Between County of Lake and Ewing and Associates for the Child Welfare Services Parking Lot located on South Forbes Street in Lakeport, for the Amount of \$4,800 from July 1, 2020 to June 30, 2021, and Authorize the Chair to Sign.
- 5.8** Approve the Distribution of Excess Proceeds in the amount of \$365,125.41 from Tax Defaulted Land Sale #155 held on June 9, 2017 (Group 2) (per R&T §4675).

Supervisor Sabatier presented the item to the Board. Treasurer-Tax Collector Barbara Ringen 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 Sabatier, and by vote of the Board, approved the Distribution of Excess Proceeds in the amount of \$365,125.41 from Tax Defaulted Land Sale #155 held on June 9, 2017 (Group 2) (per R&T §4675). The motion carried by the following vote:

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

On motion of Supervisor Scott, and by vote of the Board, approved consent agenda items 5.1 through 5.7 with the exception of 5.8 which was pulled for further discussion. The motion carried by the following vote:

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

6. Timed Items

6.1 9:01 A.M. - PUBLIC INPUT

There was no public input.

6.2 9:02 A.M. - Consideration of Update on COVID-19

Public Health Officer Dr. Gary Pace presented the item to the Board. Health Services Director Denise Pomeroy spoke.

Chair Simon asked if anyone present wished to speak and the following person spoke via Zoom: Michael Green. No one else wished to speak and the public input portion of this item was closed.

Report only.

6.3 9:30 A.M. - PUBLIC HEARING - (Sitting concurrently as Clearlake Keys CSA#1, #2,#6,#7,#13, #16, #18, #20, #21, #22- Board of Supervisors, Kelseyville County Waterworks District #3 and Lake County Sanitation District - Board of Directors) -Consideration of (a) Resolution Confirming Collections of Annual Lighting Fees; (b) Resolution Confirming Collections of Delinquent Water Fees; (c) Resolution Confirming Collections of Delinquent Water and Sewer Fees; and (d) Resolution of Delinquent Sewer Fees for Lake County Sanitation District.

Special Districts Administrator Jan Coppinger 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) Supervisor Sabatier offered the resolution and it was passed by roll call vote:

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

b) Supervisor Sabatier offered the resolution and it was passed by roll call vote:

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

c) Supervisor Sabatier offered the resolution and it was passed by roll call vote:

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

d) Supervisor Sabatier offered the resolution and it was passed by roll call vote:

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

Enactment No: Resolution No. 2020-85

Enactment No: Resolution No. 2020-86

Enactment No: Resolution No. 2020-87

Enactment No: Resolution No. 2020-88

- 6.4** 10:00 A.M. - PUBLIC HEARING - Consideration of Resolution Declaring Certain Real Property Owned By the County of Lake as Surplus and Authorizing the Sale and Disposition of Portions of Said Property for the Benefit of the Public, and (b) Authorize the County Administrative Officer to Execute the Vacant Land Purchase Agreement with the Lake Transit Authority for a Sale Price of \$200,000 and to Carry Out All Necessary Actions to Complete the Sale

County Administrative Officer Carol Huchingson introduced the item to the Board. Assistant County Administrative Officer Susan Parker presented the item to the Board. Lake Transit Authority Program Manager James Sookne and Lake Transit Authority Executive Director Lisa Davey-Bates 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) Supervisor Sabatier offered the resolution and it passed by roll call vote:

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

b) On motion of Supervisor Sabatier, and by vote of the Board, authorized the County Administrative Officer to Execute the Vacant Land Purchase Agreement with the Lake Transit Authority for a Sale Price of \$200,000 and to Carry Out All Necessary Actions to Complete the Sale. The motion carried by the following vote:

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

Enactment No: Resolution No. 2020-89

6.5 10:30 A.M. - PUBLIC HEARING - Continued from July, 7 2020 - Consider and Approve Guenoc Valley Mixed Use Planned Development Project (AM 18-04; DA 18-01, GPAP 18-01; RZ 18-01 & RZ 20-01; GPD 18-01; SD 18-01, SD 20-01, UP 18-49 and UP 20-02)

Interim Community Development Director Scott De Leon presented the item to the Board. County Counsel Anita Grant, Analytical Environmental Services Representative Ryan Sawyer, MAHA Planning and Entitlement Manager Kirsty Shelton, Design Ecologist Spencer, and Attorney Katherine Philippakis spoke. Analytical Environmental Services Representative Peter Bonavelli was present.

Chair Simon asked if anyone present wished to speak and the following people spoke via Zoom: Peter Broderick, Denise Louie, Rosemary Cordova, Marjan Kris, Sally Peterson, Tim MacDonald, Victoria Brandon, Melissa Fulton, Lisa Kaplan, and Fletcher Thorton. The following people present in the Board of Supervisors Chambers spoke: Assistant Cal Fire Chief and Chief of South Lake County Fire Protection District Paul Duncan and Joan Moss. Written Public Comment was received from the following people: Sandra Fox, Dan Gluesenkamp, Janina Hoskins, California Native Plant Society, California Wildlife Foundation, State of California Department of Justice, Denise Louie, Howell Karabel, Terry Hoberg, and Center for Biological Diversity. No one else wished to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Simon, and by vote of the Board, adopted the Water Supply Assessment, certify that the Final Environmental Impact Report, EIR 18-01 (FEIR) prepared for the Guenoc Valley Mixed Use Planned Development Project has been completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, adopt the Mitigation Monitoring and Reporting Program, and adopt the Findings of Fact and Statement of Overriding Considerations.

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

Noes- Supervisor: 1 - Brown

(b) On motion of Supervisor Simon, and by vote of the Board, amended General Plan Policy LU 6.12 of Chapter 3, Section 3.9 (Economic Development) of the Lake Country General Plan, because it is in the public interest as it supports implementation of the Middletown Area Plan and policies of the General Plan, especially related to economic development and support for economically diverse job base, innovative resort/residential communities, agritourism opportunities and resort-related uses while at the same time protecting significant agricultural lands, open space and natural resources of the area, as further presented in the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020 to include the following section: "6.12.3 The provisions of LU 6.12.1 and 6.12.2 shall not apply to the Langtree/Guenoc Special Study Area of the Middletown Area Plan". The motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(c) Supervisor Simon offered the resolution and it was passed by roll call vote:

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

Noes- Supervisor: 1 - Brown

(d) On motion of Supervisor Simon, and by vote of the Board, approved the Zoning Ordinance Text Amendment (AM 18-04) applied for by Lotusland Land Investments Holdings, Inc. for the

reasons listed in the Memorandum dated July 17, 2020. The motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(e) On motion of Supervisor Simon, and by vote of the Board, moved that the reading of the Ordinance be waived and be read in title only. The motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(f) Supervisor Simon recommend that the Ordinance be advanced to the next agenda for a second reading. Th motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(g) On motion of Supervisor Simon, and by vote of the Board, moved that the reading of the ordinance be waived and the title only be read. The motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(h) Supervisor Simon offered the Ordinance and it was passed by roll call vote:

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

Noes- Supervisor: 1 - Brown

(i) On motion of Supervisor Simon, and by vote of the Board, approved the General Plan of Development (GPD 18-01) applied for by Lotusland Land Investments Holdings, Inc., subject to the Conditions of Approval and with the findings and reasons listed in the Environmental Impacts Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020. The motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(j) On motion of Supervisor Simon, and by vote of the Board, moved that the Board of Supervisors find that Major Use Permit (UP 18-49), applied for by Lotusland Land Investments Holdings, Inc., does meet the requirements of Article 15, Section 15.7 and Article 51, Section 51.4 of the Lake County Zoning Ordinance and grant the Major Use Permit for the Guenoc Valley Mixed Use Planned Development Project subject to the Conditions of Approval, and with the findings listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020. The motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(k) On motion of Supervisor Simon, and by vote of the Board, moved to find that the Tentative Subdivision Maps (SD 18-01) applied for by Lotusland Land Investments Holdings, Inc. is in conformity with the provisions of the Subdivision Map Act and Chapter 17 of the Lake County Code and upon that basis, the Board of Supervisors approve said map, subject to the Conditions of Approval, and with the reasons and findings of approval listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020. The motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(l) On motion of Supervisor Simon, and by vote of the Board, approved the Development Agreement (DA 18-01) applied for by Lotusland Land Investments Holdings, Inc. based on the reasons and findings of approval listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020. The motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(m) Supervisor Simon offered the resolution as amended and it was passed by roll call vote:

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

Noes- Supervisor: 1 - Brown

(n) On motion of Supervisor Simon, and by vote of the Board, moved that the reading of the ordinance be waived and the title only be read. The motion carried by the following vote:

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

Noes- Supervisor: 1 - Brown

(o) Supervisor Simon offered the Ordinance and it was passed by roll call vote:

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

Noes- Supervisor: 1 - Brown

(p) On motion of Supervisor Simon, and by vote of the Board, moved that the Board of Supervisors find the Tentative Subdivision Map (SD 20-01) applied for by Lotusland Land Investments Holdings, Inc. is in conformity with the provisions of the Subdivision Map Act and Chapter 17 of the Lake County Code and upon that basis, the Board of Supervisors approve said map subject to the Conditions of Approval and with the reasons and findings of approval listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020.

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

Noes- Supervisor: 1 - Brown

(q) On motion of Supervisor Simon, and by vote of the Board, moved that the Board of Supervisors find that Major Use Permit (UP 20-02) for the community clubhouse and duplexes applied for by Lotusland Land Investments Holdings, Inc. does meet the requirements of Article 51, Section 51.4 and Article 27, Section 27.11(f) of the Lake County Zoning Ordinance and grant the Major Use Permit, UP 20-02 subject to the Conditions of Approval, and with the findings listed in the Environmental Impact Report (EIR), Staff Report Packet Dated June 18, 2020, the Supplemental Staff Report dated June 22, 2020 and the Memorandum dated July 1, 2020.

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

Noes- Supervisor: 1 - Brown

Enactment No: Resolution No. 2020-90
Enactment No: Resolution No. 2020-91
Enactment No: Resolution No. 2020-92
Enactment No: Resolution No. 2020-93
Enactment No: Resolution No. 2020-94
Enactment No: Resolution No. 2020-95
Enactment No: Resolution No. 2020-96

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 Discussion and Consideration of Microenterprise Home Kitchen Operations

Supervisor Crandell presented the item to the Board. Denise Pomeroy, Peter Rutig, Cheryl Bennett, and Robert Cabrerros 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.

There was Board Consensus to bring the Ordinance back at a later date.

7.3 Consideration of Updates to Return to Work Protocol

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, approved additions to the COUNTY OF LAKE COVID-19 PUBLIC HEALTH EMERGENCY Return to Work - Worksite Protection Protocol, authorizing the County Administrative Office or her designee to initiate the meet and confer process with labor groups. The motion carried by the following vote:

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

7.4 Consideration of Letter of Opposition to SB 474 (Stern)

Assistant County Administrative Officer Susan Parker 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 Crandell, and by vote of the Board, approved Letter of Opposition to SB 474 (Stern). The motion carried by the following vote:

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

8. Closed Session

There were no closed session items to consider.

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 4:32 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Johanna DeLong
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors