



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, September 22, 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 9:00 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 Crandell, Supervisor Scott, Supervisor Brown and Chair Simon

2. Moment of Silence

A moment of silence was dedicated to Ruth Bader Ginsberg.

3. Pledge of Allegiance

Led by Supervisor Scott.

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 Additional Change to Board's Annual Meeting Calendar for 2020

a) 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.

b) 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.

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

b) On motion of Supervisor Crandell, and by vote of the Board, adjourned the September 29, 2020 Board of Supervisors meeting. The motion carried by the following vote:

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

4.2 EXTRA ITEM - (a) Consideration of “extra” agenda item, and, (b) Consideration of 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.

a) 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.

b) Chair Simon 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.

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

b) On motion of Supervisor Sabatier, 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: 5 - Sabatier, Crandell, Scott, Brown, and Simon

4.3 EXTRA ITEM - (a) Consideration of “extra” agenda item, and, (b) Consideration of the Continuation of a Local Health Emergency Related to the 2019 Coronavirus (COVID-19) as Proclaimed by the Lake County Public Health Officer

a) 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.

b) Chair Simon 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.

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

b) On motion of Supervisor Sabatier, and by vote of the Board, approved the Continuation of a Local Health Emergency Related to the 2019 Coronavirus (COVID-19) as Proclaimed by the Lake County Public Health Officer. The motion carried by the following vote:

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

4.4 EXTRA ITEM - (a) Consideration of “extra” agenda item, and, (b) Consideration of the Continuation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires).

a) 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.

b) Chair Simon 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.

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

b) On motion of Supervisor Sabatier, and by vote of the Board, approved the Continuation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires). The motion carried by the following vote:

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

4.5 EXTRA ITEM - (a) Consideration of “extra” agenda item, and, (b) Consideration of the Continuation of a Local Emergency due to the Pawnee Fire Incident.

a) 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.

b) Chair Simon 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.

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

b) On motion of Supervisor Sabatier, and by vote of the Board, approved the Continuation of a Local Emergency due to the Pawnee Fire Incident. The motion carried by the following vote:

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

4.6 EXTRA ITEM - (a) Consideration of “extra” agenda item, and, (b) Consideration of the Continuation of a Local Emergency due to COVID-19

a) 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.

b) Chair Simon 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.

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

b) On motion of Supervisor Sabatier, and by vote of the Board, approved the Continuation of a Local Emergency due to COVID-19. The motion carried by the following vote:

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

4.7 EXTRA ITEM - (a) Consideration of “extra” agenda item, and, (b) Consideration of the Continuation of a Local Emergency In Lake County in Response to the LNU Lightning Complex Wildfire Event

a) 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.

b) Chair Simon 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.

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

b) On motion of Supervisor Sabatier, and by vote of the Board, approved the Continuation of a Local Emergency In Lake County in Response to the LNU Lightning Complex Wildfire Event. The motion carried by the following vote:

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

5. Approval of the Consent Agenda

- 5.1 Adopt Proclamation Commending Bob Malley for his 10+ years of service as a Planning Commissioner
- 5.2 Adopt Proclamation Honoring the 100th Anniversary of Disabled American Veterans
- 5.3 Adopt Proclamation Declaring Friday, September 25, 2020 as Native American Day in Lake County, California
- 5.4 Adopt Proclamation Commending Lydia Meraz for Heroic Actions in Saving the Life of 3-Year-Old Darius Apar
- 5.5 Adopt Resolution Amending Resolution No. 2020-133 Adopting the Final Recommended Budget for Fiscal Year 2020-21

Enactment No: Resolution No. 2020-136

- 5.6 Approve Change to Board's Annual Meeting Calendar for 2020
- 5.7 (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 Resource Development Associates for implementation and maintenance of the Network of Care Website for Fiscal Year 2020-21 for a contract maximum of \$48,000 and authorize the Board Chair to sign the Agreement
- 5.8 (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 Vista Pacifica Enterprises, Inc. for Adult Residential Support Services and Specialty Mental Health Services for Fiscal Year 2020-21 for contract maximum of \$78,000 and authorize the Board Chair to sign the Agreement.
- 5.9 Adopt Resolution to Amend the Budget for FY 2020-2021 by Appropriating Unanticipated Revenue for Public Health Services and authorize the Health Services Director to sign necessary documents to secure these funds

Enactment No: Resolution No. 2020-137

- 5.10 (Sitting as the Kelseyville County Waterworks #3, Board of Directors) – (a) Approve Proposed Private Lateral Grant Program to Assist Property Owners For The Replacement Costs of Private Laterals to Reduce Inflow and Infiltration; and (b) Adopt Resolution canceling reserves in the amount of \$15,000 to fund the program

Enactment No: Resolution No. 2020-138

- 5.11** (a) Adopt Resolution revising the Fiscal Year 2020-2021 Adopted Budget of the County of Lake by cancelling reserves in Fund 295 Special Districts Administration Equipment, in the amount of \$30,000 to make appropriations in Budget Unit 8695, Object Code 786.62-74; (b) Authorize the Special Districts Administrator / Assistant Purchasing Agent to issue a Purchase Order not to exceed \$30,000 to Industrial Electrical Company for the Purchase of a 15 KW Generator for the Special Districts Administration Building.

Enactment No: Resolution No. 2020-139

- 5.12** Adopt Proclamation Commending Jerry Pfann on his retirement

- 5.13** Approve Mileage Reimbursement for Al Acrey, Quagga Mussel Monitor in the amount of \$983.32 and authorize the Auditor to pay

On motion of Supervisor Crandell, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.13. 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 Direction to the Registrar of Voters, regarding the Referendum Against Ordinance No. 3097, "An Ordinance of the County of Lake to Provide for Graduated Levels of Enforcement of Public Health Orders Through Education and Training and the Imposition of Administrative Fines", adopted by your Board on August 18, 2020

County Administrative Officer Carol Huchingson presented the item to the Board. County Counsel Anita Grant spoke.

Chair Simon asked if anyone present wished to speak and the following people present in the Board of Supervisors Chambers spoke: Doug Meyers, Bob Michaelson, Carly Elliot, Brian Dobrowski, and Val Lancaster. The following people spoke via Zoom: Matthew Nelson, Frank Dolloso, Darrilyn Thrap, and Galaxy S9. 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, directed Registrar of Voters to verify the signatures on the petition against Ordinance No. 3097. The motion carried by the following vote:

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

- 6.3** 10:00 A.M. - Presentation of (a) Proclamation Commending Bob Malley for his 10+ years of service as a Planning Commissioner; (b) Proclamation Commending Jerry Pfann on his Retirement; (c) Proclamation Honoring the 100th Anniversary of Disabled American Veterans; and (d) Proclamation Declaring Friday, September 25, 2020 as Native American Day in Lake County, California; and (e) Proclamation Commending Lydia Meraz for Heroic Actions in Saving the Life of 3-Year-Old Darius Apar

a) Supervisor Sabatier read the proclamation into the Record and presented it to Bob Malley. Bob Malley 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.

b) Chair Simon read the proclamation into the record and presented it to Jerry Pfann. Chris Chwialkowski, Jerry Pfann, and Susan Krones 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.

c) Supervisor Crandell read the proclamation into the record and presented it.

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

d) Chair Simon read the proclamation into the record and presented it.

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

e) Supervisor Crandell read the proclamation into the record and presented it.

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

These Ceremonial Items were read into the record and presented.

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

Human Resources Director Pam Samac presented a PowerPoint Presentation to the Board. Chief Probation Officer Rob Howe, Social Services Director Crystal Markytan, District Attorney Susan Krones, Public Works Director Scott DeLeon, County Administrative Officer Carol Huchingson, Health Services Director Denise Pomeroy, and Public Services Director Lars Ewing spoke.

Chair Simon asked if anyone present wished to speak and the following people spoke via Zoom: Sally Peterson, Charise Reynolds, and Mary Pagan. No one else wished to speak and the public input portion of this item was closed.

6.5 11:00 A.M. - PUBLIC HEARING - Consideration/Discussion of Naming Existing Unnamed Roads in the Jerusalem Valley Area of Middletown

Public Works Director Scott De Leon presented the item to the Board. County Surveyor Gordon Haggitt spoke.

Chair Simon asked if anyone present wished to speak and the following people spoke via Zoom: Glo Anderson and Gabrielle O'Neill. No one else wished to speak and the public input portion of this item was closed.

On motion of Chair Simon, and by vote of the Board, approved Naming Existing Unnamed Roads in the Jerusalem Valley Area of Middletown. The motion carried by the following vote:

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

6.6 11:15 A.M. - (Continued from September 1, 2020) - Presentation on Continuing Issues Regarding Treasurer/Tax Collector's Office, Vote of No Confidence and Request for Resignation of Barbara Ringen

Supervisor Sabatier introduced the item to the Board. Treasurer-Tax Collector Barbara Ringen and County Administrative Officer Carol Huchingson spoke.

Chair Simon asked if anyone present wished to speak and the following person present in the Board of Supervisors Chambers spoke: Joan Moss. The following people spoke via Zoom: Michael Green and Richard Burk. No one else wished to speak and the public input portion of this item was closed.

The motion by Supervisor Sabatier for a vote of no confidence died due to the lack of a second.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

8. Closed Session

Chair Simon announced that the Board would now go into Closed Session at 1:50 p.m. for the reasons stated on the agenda.

The Board reconvened into Regular Session at 4:21 p.m. having taken the following actions on 8.2 and 8.3:

8.1 Public Employee Evaluations:

Title: IT Director

Title: Social Services Director

- 8.2** Conference with Legal Counsel: Existing Litigation pursuant to Government Code section 54956.9(d)(1) Center for Biological Diversity v. County of Lake, et al.

On motion of Supervisor Sabatier, and by vote of the Board, authorized the engagement of Miller, Starr, Regalia to provide legal consultation and defense to the County in the matters of California Native Plant Society v. County of Lake, et al. and Center for Biological Diversity v. County of Lake, et al., the expense of which shall be reimbursed by Lotusland Investment Holdings pursuant to its development agreement with the County, and authorized the County Counsel to sign. The motion carried by the following vote:

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

- 8.3** Conference with Legal Counsel: Existing Litigation pursuant to Government Code section 54956.9(d)(1) California Native Plant Society v. County of Lake, et al.

On motion of Supervisor Sabatier, and by vote of the Board, authorized the engagement of Miller, Starr, Regalia to provide legal consultation and defense to the County in the matters of California Native Plant Society v. County of Lake, et al. and Center for Biological Diversity v. County of Lake, et al., the expense of which shall be reimbursed by Lotusland Investment Holdings pursuant to its development agreement with the County, and authorized the County Counsel to sign. The motion carried by the following vote:

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

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 4:31 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Johanna DeLong
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors