



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, December 15, 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 9:03 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, and Chair Simon

Absent: Supervisor Brown

2. Moment of Silence

A moment of silence was dedicated Gerald Dean Johnson Brown.

3. Pledge of Allegiance

Led by Supervisor Sabatier.

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

5. Approval of the Consent Agenda

- 5.1** Second Reading - Adopt Ordinance Amending Chapter 21 of Article 27 of the Lake County Code to Correct the Inadvertent omission of Cannabis Processing Licenses in PDC Zoning

Enactment No: Ordinance No. 3100

- 5.2** Second Reading - Adopt Ordinance Amending Chapter 21 of Articles 27 and 68 of the Lake County Code Pertaining to Commercial Cannabis Cultivation in Proximity to Lake County Important Farmland

Enactment No: Ordinance No. 3101

- 5.3** Approve Amendment to the Temporary Agency Agreement

- 5.4** Adopt Resolution Amending Resolution No. 2020-134 Establishing Position Allocations for Fiscal Year 2020-21, Budget Unit No. 2603, Code Enforcement

Enactment No: Resolution No. 2020-179

- 5.5** 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. 2020-180

- 5.6** Adopt Proclamation Recognizing the Retirement of Cindy Silva-Brackett, Supervising Accountant and Honoring her Many Years of Outstanding Service to the County of Lake

- 5.7** Adopt Resolution Approving the Certification Statement for the State Department of Health Services, CMS Branch's Child Health & Disability Program (CHDP), Health Care Program for Children in Foster Care Program (HPCFC), Monitoring Oversight of Foster Children Treated with Psychotropic Meds (HPCFC-PMO) and Caseload Relief (HPCFC-CR) Grant for FY 2019-2020 and Authorize the Board Chair to Sign Said Certification Statement

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

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

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

Absent- Supervisor: 1 - Brown

Enactment No: Resolution No. 2020-181

- 5.8** Approve the Continuation of a Local Health Emergency Related to the 2019 Coronavirus (COVID-19) as Proclaimed by the Lake County Public Health Officer
- 5.9** Approve the Continuation of Resolution Ratifying the Declaration of Local Health Emergency and Order Prohibiting the Endangerment of the Community through the Unsafe Removal, Transport, and Disposal of Fire Debris for the LNU Complex Wildfire
- 5.10** Approve the Continuation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires).
- 5.11** Approve the Continuation of a Local Emergency due to the Pawnee Fire Incident.
- 5.12** Approve the Continuation of a Local Emergency due to COVID-19
- 5.13** Approve the Continuation of a Local Emergency In Lake County in Response to the LNU Lightning Complex Wildfire Event

- 5.14** Authorize the Public Services Director / Assistant Purchasing Agent to Issue a Purchase Order not to exceed \$68,842.31 to Bobcat of Santa Rosa for the Purchase of a Bobcat 5600 Utility Vehicle.
- 5.15** Approve the Memorandum of Understanding between the County of Lake and the Lake County Resource Conservation District for the Construction of a Water Well at Middletown Trailside Park
- 5.16** a) Approve Mutual Aid Agreement Between the County of Lake and Napa County for Assistance Provided in Responding to the 2020 Glass Fire; and b) Adopt a Resolution Authorizing the Chair of the Board of Supervisors to Sign the Agreement

Enactment No: Resolution No. 2020-182

- 5.17** (a) Approve contract amendment #11 between the County of Lake and Sun Ridge Systems, Inc in the amount of \$25,000 for the purchase and installation of RIMS CIBRS reporting software and (b) authorize the Sheriff/Coroner or his designee to issue a purchase order.
- 5.18** Approve Amendment #2 between the County of Lake on behalf of CSA 20, Soda Bay and PACE Engineering of Redding for Construction Engineering Services in the Amount of \$58,000 for a Total Contract Amount of \$220,131.50 and Authorize the Chair to Sign.
- 5.19** Adopt Resolution authorizing the Director of Social Services to execute Standard Agreement # 20-HK-00075 and all other documents necessary to participate in the HOMEKEY program administered by the California Department of Housing and Community Development (HCD).

On motion of Supervisor Sabatier, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.19 with the exception of item 5.7 which was pulled for further discussion. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Brown

Enactment No: Resolution No. 2020-183

6. Timed Items

6.1 9:01 A.M. - PUBLIC INPUT

Public Member Joan Moss spoke. Supervisor Scott read written comment from Rick Mather.

- 6.2** 9:05 A.M. - Presentation of Proclamation Recognizing the Retirement of Cindy Silva-Brackett, Supervising Accountant and Honoring her Many Years of Outstanding Service to the County of Lake

Supervisor Sabatier read the proclamation into the record and presented it to Cindy Silva-Brackett.

Chair Simon asked if anyone present wished to speak and the following people present in the Board of Supervisors Chambers spoke: Cindy Silva-Brackett, Tony Valdez, Maria Valadez, and Jen Baker. Public Health Officer Dr. Gary Pace read written comment from Health Director Denise Pomeroy. The following people spoke via Zoom: Carolyn Holladay, Gina Lyle-Griffin, and Jake Reinke. No one else wished to speak and the public input portion of this item was closed.

This Ceremonial Item was read into the record and presented.

- 6.3** 9:30 A.M. - (a) Approve formation of the Lake County Small Business COVID Recovery Team, and (b) Appoint Supervisors Crandell and Sabatier to fill the County Seats on the team

Supervisor Sabatier presented the item to the Board. County Administrative Officer Carol Huchingson spoke.

Chair Simon asked if anyone present wished to speak and the following person spoke via Zoom: Melissa Fulton. No one else 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 formation of the Lake County Small Business COVID Recovery Team. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Brown

b) Appointed Supervisors Crandell and Sabatier to fill the County Seats on the team. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Brown

- 6.4** 9:45 A.M. - Consideration of Resolution of Intention of the Board of Supervisors of the County of Lake to Initiate Amendments to the zoning ordinance to establish regulations and develop standards for the cultivation of cannabis amending Article 27 of Chapter 21 of the Lake County Code Pertaining Cannabis Cultivation

Supervisor Sabatier presented the item to the Board. County Counsel Anita Grant spoke.

Chair Simon asked if anyone present wished to speak and the following people spoke via Zoom: Jessica Pyska, Brenna Sullivan, Sufyan Hamouda. The following people present in the Board of Supervisors Chambers spoke: Joan Moss, Michael Wagner, Frank Perez, and Lance Williams. 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: 4 - Sabatier, Crandell, Scott, and Simon

Absent- Supervisor: 1 - Brown

Enactment No: Resolution No. 2020-184

6.5 10:00 A.M. - Consideration of Update on COVID-19

Public Health Officer Dr. Gary Pace presented the item to the Board and shared a video presented by Epidemiologist Sarah Marikos. Dr. Mollie Charon spoke.

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

Report Only.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

- 7.2** a) Consideration of Awarding Bid No. 20 – 24 for the Supply of Bulk #2 Red Diesel Fuel, #2 Clear Diesel Fuel and Unleaded Gasoline; and b) Accept and sign Westgate Petroleum Bid for #2 Red Diesel; and c) Accept and sign Westgate Petroleum Bid for #2 Clear Diesel; and d) Accept and sign Westgate Petroleum Bid for Unleaded Gasoline; and e) Authorize Chair to Sign Agreement between the County and Westgate Petroleum

County Administrative Officer Carol Huchingson introduced the item to the Board. Deputy County Administrative Officer Stephen Carter presented the item to the Board. Westgate Petroleum Representative Claude Brown 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 Bid No. 20 – 24 for the Supply of Bulk #2 Red Diesel Fuel, #2 Clear Diesel Fuel and Unleaded Gasoline; and b) Accepted and signed Westgate Petroleum Bid for #2 Red Diesel; and c) Accepted and signed Westgate Petroleum Bid for #2 Clear Diesel; and d) Accepted and signed Westgate Petroleum Bid for Unleaded Gasoline; and e) Authorized Chair to Sign Agreement between the County and Westgate Petroleum. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Brown

7.3 Discussion and Direction to Staff Regarding the Proposed Re-use of an Existing Agricultural Packing Facility for a Commercial Cannabis-related Business which includes a Use Not Currently Allowed by the Current Cannabis Ordinance

Community Development Director Scott De Leon presented the item to the Board. Community Development Deputy Director Toccarra Nicole Thomas, Richard Knoll, and County Counsel Anita Grant spoke.

Chair Simon asked if anyone present wished to speak and the following people spoke via Zoom: Jessica Pyska, Brenna Sullivan, and John Ochipinti. The following person present in the Board of Supervisors Chambers spoke: Joan Moss. Community Development Director Scott De Leon read written comment from Debra Sommerfield

Direction was given to staff to create an ag overlay.

7.4 Consideration of Agreement Between the County of Lake and Safebuilt for Consulting Services for Professional Plan Check, Building Permit Processing, and Building and Public Infrastructure Inspection Services for the Guenoc Valley Mixed Use Planned Development Project

Community Development Director Scott De Leon presented the item to the Board.

Chair Simon asked if anyone present wished to speak and the following person spoke via Zoom: Katherine Philippakis. 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, approved Agreement Between the County of Lake and Safebuilt for Consulting Services for Professional Plan Check, Building Permit Processing, and Building and Public Infrastructure Inspection Services for the Guenoc Valley Mixed Use Planned Development Project. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Brown

7.5 Consideration of Change Order No. 1 with West Coast Contractors DBA Oregon West Coast Contractors for Clayton Creek Road at Clayton Creek Bridge Replacement Project, Federal Project No. BRLO-5914(077), Bid No. 20-10, for an Increase of \$492.00 and a Revised Contract Amount of \$1,613,663.40.

Community Development 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. 1 with West Coast Contractors DBA Oregon West Coast Contractors for Clayton Creek Road at Clayton Creek Bridge Replacement Project, Federal Project No. BRLO-5914(077), Bid No. 20-10, for an Increase of \$492.00 and a Revised Contract Amount of \$1,613,663.40. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Brown

8. Closed Session

Chair Simon announced that the Board would now go into Closed Session at 12:40 p.m. for the reasons stated on the agenda.

The Board reconvened into Regular Session at 12:48 p.m. having taken the following action:

8.1 Employee Grievance Complaint Pursuant to Gov. Code sec. 54957

On motion of Supervisor Sabatier, and by vote of the Board, approved decision regarding the grievance and denied the grievance. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Brown

Abstain- Supervisor: 1 - Simon

8.2 Conference with legal counsel: Significant Exposure to Litigation pursuant to Government Code section 54956.9(d)(2), (e)(3) – Claim of McQueen

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 12:50 p.m.

CAROL J. HUCHINGSON

Clerk of the Board

By: _____

Johanna DeLong

Assistant Clerk of the Board

Chair-Lake County Board of Supervisors