



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, October 20, 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, Supervisor Brown and Chair Simon

2. Moment of Silence

A moment of silence was dedicated to Carlos Vasquez and Charlie Crowfoot.

3. Pledge of Allegiance

Led by Supervisor Brown.

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 the Public Defender Contract Amendment Number 4 between the County of Lake and Lake Indigent Defense, LLP for Public Defender Services for the Purpose of Extending the Term of Existing Agreement and Increasing the Monthly Compensation by \$7,000 per month.

- 5.2** Approve Agreement Between the County of Lake and Lake County Economic Development Corporation for Lake County CARES Act Small Business Assistance Grant Program Coordinator Services and Authorize the Chair to Sign

Deputy County Administrative Officer Matthew Rothstein presented the item to the Board. County Administrative Officer Carol Huchingson and Nicole Flora spoke

Chair Simon asked if anyone present wished to speak and the following person spoke via Zoom: Alan Flora. 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 Lake County Economic Development Corporation for CARES Act Small Business Assistance Grant Program Coordinator Services and Authorized the Chair to Sign. The motion carried by the following vote:

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

- 5.3** Approve amendment to the COUNTY OF LAKE COVID-19 PUBLIC HEALTH EMERGENCY Return to Work – Worksite Protection Protocol
- 5.4** (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 Lake County Office of Education - Safe Schools Healthy Students Program for School-Based Specialty Mental Health Services for Fiscal Year 2020-21 to provide for services rendered during Fiscal Year 2019-20 for a contract maximum of \$143,731.69 and authorize the Board Chair to sign the Agreement
- 5.5** 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 North Valley Behavioral Health, LLC. for Fiscal Year 2020-21 to provide for services rendered during Fiscal Year 2019-20 for a contract maximum of \$125,920.00 and authorize the Board Chair to sign the Agreement
- 5.6** (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 Hilltop Recovery Services for Substance Use Disorder Residential Services for FY 2020-21, for a contract maximum of \$186,150.00 and authorize the Board Chair to sign the Agreement
- 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 Agreement between the County of Lake and I.D.E.A. Consulting for Professional Consulting Services for FY 2020-21 for a contract maximum of \$40,000.00 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 Ever Well Health Systems for Adult Residential Support Services and Specialty Mental Health Services for Fiscal Year 2020-21 for a contract maximum of Fifty Seven Thousand Dollars (\$57,000.00) and authorize the Board Chair to sign the Agreement
- 5.9** (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 Redwood Community Services, Inc. for the Family Stabilization Program Provided at The Nest for Fiscal Year 2020-21 for a contract maximum of \$221,000 and authorize the Board Chair to sign the Agreement

- 5.10** (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 Redwood Community Services, Inc. for the Transitional Age Youth (TAY) Peer Support Program for Fiscal Year 2020-21 for a contract maximum of \$54,000 and authorize the Board Chair to sign the Agreement
- 5.11** Approve Minutes of the Board of Supervisors Meeting August 18, 2020
- 5.12** Adopt Resolution to accept funding allotment for fiscal years 2020 through 2023 for \$1,854,803 and amend the adopted budget for FY 2020/2021 by appropriating unanticipated revenue in the amount of \$463,702 to budget unit 4011 – funding is allocated for Public Health Services in Support of COVID-19 Crisis Response, Epidemiologic Surveillance, Communicable Disease Specialist, and Testing, Authorizing the Health Services Director to Sign
- Enactment No: Resolution No. 2020-144
- 5.13** Approve additional leave of absence that extends beyond Department Leave and County Administrative Officer approved leave for Stacey Sawdey from 10/23/2020 through 12/31/2020 and authorize the Board of Supervisors Chair to sign the request
- 5.14** Approve 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.
- 5.15** Approve the Continuation of a Local Health Emergency Related to the 2019 Coronavirus (COVID-19) as Proclaimed by the Lake County Public Health Officer
- 5.16** Approve the Continuation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires).
- 5.17** Approve the Continuation of a Local Emergency due to the Pawnee Fire Incident.
- 5.18** Approve the Continuation of a Local Emergency due to COVID-19
- 5.19** Approve the Continuation of a Local Emergency In Lake County in Response to the LNU Lightning Complex Wildfire Event
- 5.20** 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

- 5.21** (Sitting as the Lake County Sanitation Board of Directors) Adopt Resolution Authorizing Special Districts Administrator to Sign the Notice of Completion for Work Performed under Agreement 19-08A, Dated June 25, 2019 for the Onsite Installation of Sanitation Equipment for the Anderson Springs Sewer System.

Enactment No: Resolution No. 2020-145

- 5.22** (Sitting as the Lake County Sanitation District) Adopt Resolution Authorizing the Special Districts Administrator to Sign the Notice of Completion for Work Performed Under Agreement 19-08B, Signed June 25, 2020 For Communications Equipment On the Anderson Springs Sewer Project

Enactment No: Resolution No. 2020-145

- 5.23** Approve Agreement for Federal Apportionment Exchange Program and state Match Program for California Department of Transportation - Non MPO County, Agreement No. X20-5914(121) at no cost to the County, and authorize the Chair to sign

- 5.24** (Sitting as the Board of Directors for the Lake County Watershed Protection District) Approve the Purchase Agreement with Steven Jones for Property within the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project in the amount of \$647,600 and authorize the Chair of the Board of Directors to sign the Agreement

- 5.25** Adopt Resolution Amending Resolution No. 2020-133 to amend the adopted Budget for FY 20-21 by Cancelling Obligated Fund Balance in the Building and Infrastructure Reserve Fund to Provide Interim Financing to Purchase Property in the Middle Creek Restoration Project Area

Enactment No: Resolution No. 2020-147

- 5.26** (Sitting as the Lake County Watershed Protection District) Adopt Resolution Approving a Memorandum of Understanding between County of Lake Watershed Protection District and the Habematolel Pomo of Upper Lake Tribe for the shared execution of the USEPA 2019-2022 Environmental Information Exchange Network Grant (NEIEN).

On motion of Supervisor Sabatier, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.26 with the exception of item 5.2 which was pulled for further discussion. The motion carried by the following vote:

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

Enactment No: Resolution No. 2020-148

6. Timed Items

6.1 9:01 A.M. - PUBLIC INPUT

Public Member Kimberly Ehler spoke.

- 6.2** 11:00 A.M. - PUBLIC HEARING - Continued to November 17, 2020 - Discussion/Consideration to Name an Existing Unnamed Road Located off Jerusalem Grand in Middletown Area - Psi Keep Ranch Road

This item was continued to the November 17, 2020 Board of Supervisors meeting.

- 6.3** 1:00 P.M. - Consideration of Update on COVID-19

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

Chair Simon asked if anyone present wished to speak and the follow person spoke via Zoom: Dani Cramas. 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** Consideration of Allocation of Funds from PG&E Lawsuit Settlement

Supervisor Sabatier presented the item to the Board. County Counsel Anita Grant, County Administrative Officer Carol Huchingson, and Public Works Director Scott De Leon spoke.

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

There was consensus to appoint Supervisor Sabatier and Supervisor Scott to the PG&E spending committee and come back at a later date with suggestions .

- 7.3** Consideration of An Ordinance Amending Section 2-3A.1 of Article I, Chapter 2 of the Lake County Code, Compensation of the Board of Supervisors

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. 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, waived the reading of the ordinance to have it read in title only. The motion carried by the following vote:

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

On motion of Supervisor Sabatier, and by vote of the Board, scheduled the second reading of the ordinance to October 27, 2020. The motion carried by the following vote:

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

7.4 Consideration of Job Classification Changes based on the October 2019 CPS-HR Classification and Compensation Study

County Administrative Officer Carol Huchingson introduced the item to the Board. Pam Samac presented the item to the Board.

Chair Simon asked if anyone present wished to speak and the following people present in the Board spoke: Kimberly Ehler and Lance Williams

On motion of Supervisor Crandell, and by vote of the Board, Subject to meet and confer, approved changes to 52 classifications, as listed above and Subject to meet and confer, abolish 30 classifications, as listed above. The motion carried by the following vote:

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

7.5 Consideration of Memorandum of Understanding By and Between the Lake County Deputy Sheriff's Association Units and the County of Lake for October 21, 2020 – October 20, 2021

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 person spoke via Zoom: Gary Fraise. 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, moved to reopen the item. The motion carried by the following vote:

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

On motion of Supervisor Sabatier, and by vote of the Board, continued the item to the October 27, 2020 Board of Supervisors meeting at 9:30 a.m. The motion carried by the following vote:

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

7.6 Consideration of Memorandum of Understanding By and Between the Lake County Employees Association Units #3, #4, & #5 and the County of Lake for October 21, 2020 – October 20, 2021

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. 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, continued the item to the October 27, 2020 Board of Supervisors meeting at 9:30 a.m. The motion carried by the following vote:

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

Nays- Supervisor: 1 - Simon

7.7 Consideration of Memorandum of Understanding By and Between the Lake County Safety Employees Association and the County of Lake for October 21, 2020 – October 20, 2021

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. 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, tentatively approved the Memorandum of Understanding By and Between the Lake County Safety Employees Association and the County of Lake for October 21, 2020 – October 20, 2021 conditioned upon formal approval of the bargaining unit by October 27, 2020. The motion carried by the following vote:

Ayes- Supervisors: 3 - Crandell, Brown and Simon

Abstain- Supervisors: 2 - Sabatier and Scott

7.8 Consideration of Memorandum of Understanding By and Between the Lake County Correctional Officers Association Units and the County of Lake for October 21, 2020 – October 20, 2021

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, moved to reopen the item. The motion carried by the following vote:

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

On motion of Supervisor Sabatier, and by vote of the Board, continued the item to the October 27, 2020 Board of Supervisors meeting at 9:30 a.m. The motion carried by the following vote:

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

7.9 Consideration of Memorandum of Understanding By and Between the Lake County Deputy District Attorney's Association and the County of Lake for October 21, 2020 – October 20, 2021

County Administrative Officer Carol Huchingson presented the item to the Board. Deputy County Administrative Officer Stephen Carter 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.

On motion of Supervisor Scott, and by vote of the Board, approved Memorandum of Understanding By and Between the Lake County Deputy District Attorney's Association and the County of Lake for October 21, 2020 – October 20, 2021. The motion carried by the following vote:

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

7.10 Consideration of Memorandum of Understanding By and Between the Lake County Sheriff's Management Association Units and the County of Lake for November 1, 2020 – October 31, 2021

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 Crandell, and by vote of the Board, approved the Memorandum of Understanding By and Between the Lake County Sheriff's Management Association Units and the County of Lake for November 1, 2020 – October 31, 2021. The motion carried by the following vote:

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

Nays- Supervisor: 1 - Sabatier

On motion of Supervisor Sabatier, and by vote of the Board, reopened the item. The motion carried by the following vote:

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

On motion of Supervisor Crandell, and by vote of the Board, approved the Memorandum of Understanding By and Between the Lake County Sheriff's Management Association Units and the County of Lake for November 1, 2020 – October 31, 2021. The motion carried by the following vote:

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

Abstain- Supervisor: 1 - Sabatier

7.11 Consideration of Resolution Establishing Salaries and Benefits for Employees Assigned to the Confidential Unit, Section A, for October 21, 2020 – October 20, 2021

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 to speak and the public input portion of this item was closed.

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

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

Enactment No: Resolution No. 2020-149

7.12 Consideration of Resolution Establishing Salaries and Benefits for Employees Assigned to the Confidential Unit, Section B, for October 21, 2020 – October 20, 2021

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 to speak and the public input portion of this item was closed.

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

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

Enactment No: Resolution No. 2020-150

7.13 Consideration of Resolution Establishing Salaries and Benefits for Management Employees for the Period of November 1, 2020 – October 31, 2021

County Administrative Officer Carol Huchingson presented the item to the Board. County Counsel Anita Grant and Sheriff Brian Martin 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 Crandell, and by vote of the Board, deferred enforcement relating to Board of Supervisors salaries presently in existence given that a revised version is now pending. The motion carried by the following vote:

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

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

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

Abstain- Supervisor: 1 - Sabatier

Enactment No: Resolution No. 2020-151

7.14 Consideration of Contract Change Order No. One with McGuire-Pacific Constructors for Cycle 7 & Cycle 8 HSIP Signs and Striping Project, Federal Project No.'s HSIPL-5914(104) & HSIPL-5914(113), Bid No. 18-22 for an Increase of \$39,545.69 and a Revised Contract Amount of \$1,279,071.65 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 Contract Change Order No. One with McGuire-Pacific Constructors for Cycle 7 & Cycle 8 HSIP Signs and Striping Project, Federal Project No.'s HSIPL-5914(104) & HSIPL-5914(113), Bid No. 18-22 for an Increase of \$39,545.69 and a Revised Contract Amount of \$1,279,071.65 and Authorized the Chair to Sign. The motion carried by the following vote:

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

7.15 Consideration of Advisory Board Appointment:

Child Care Planning and Development
Emergency Medical Care Committee

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

On motion of Supervisor Scott, and by vote of the Board, appointed applicants to the Child Care Planning Committee. The motion carried by the following vote:

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

On motion of Supervisor Crandell, and by vote of the Board, appointed applicants to the Emergency Medical Care Committee. The motion carried by the following vote:

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

7.16 (Sitting as Lake County Sanitation District) Consideration of Balancing Change Order with Mercer Fraser Company for Anderson Springs Sewer Project, for a decrease of \$235,011.00 and a revised final contract amount of \$1,715,672.00 and Authorize Board Chair to Execute

Deputy Special Districts Administrator Scott Harter presented the item to the Board. Special Districts Administrator Jan Coppinger 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 Balancing Change Order with Mercer Fraser Company for Anderson Springs Sewer Project, for a decrease of \$235,011.00 and a revised final contract amount of \$1,715,672.00 and Authorized Board Chair to Execute. The motion carried by the following vote:

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

8. Closed Session

Chair Simon announced that the Board would now go into Closed Session at 9:28 a.m. to discuss item 8.7.

The Board Reconvened into Regular Session at approximately 9:41 a.m. having taken the following action on item 8.7:

Chair Simon announced that the Board would now go into Closed Session at 3:25 p.m. to discuss the remaining items.

The Board reconvened into Regular Session at 5:26 p.m. having taken the following action on item 8.2:

8.1 Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9 (d)(1) – FERC Project No. 77, Potter Valley Hydroelectric Project

- 8.2** Conference with Legal Counsel: Existing Litigation Pursuant to Gov. Code section 54956.9(d)(1) – Ugorji v. County of Lake, et al.

On motion of Supervisor Sabatier, and by vote of the Board, approve the settlement agreement with Ugorji in the amount of \$27,200, authorizing the Chair to sign. The motion carried by the following vote:

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

Absent- Supervisor: 1 - Crandell

- 8.3** Conference with Legal Counsel: Existing Litigation Pursuant to Gov. Code section 54956.9(d)(1) – Sabalone v. County of Lake, et al.

- 8.4** Conference with Legal Counsel: Significant Exposure to Litigation Pursuant to Gov. Code section 54956.9(d)(2), (e)(2) – One Potential Case

- 8.5** Conference with Legal Counsel: Decision Whether to Initiate Litigation Pursuant to Gov. Code section 54956.9(d)(4) – One Potential Case

- 8.6** Public Employee Evaluations:
Title: County Librarian
Title: Special Districts Administrator

- 8.7** Public Employee Appointment Pursuant to Gov. Code Section 54957(b)
(1): Appointment of Community Development Director

On motion of Supervisor Sabatier, and by vote of the Board, appointed Scott DeLeon as permanent Community Development Director effective 11/01/20. 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 5:27 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____
Johanna DeLong
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors