



# COUNTY OF LAKE

255 North Forbes Street  
Lakeport, CA 95453

## Meeting Minutes - Final BOARD OF SUPERVISORS

---

Tuesday, November 14, 2017

9:00 AM

Board Chambers

---

### 1. Call to Order

*The meeting was called to order at 9:00 a.m. by Chair Smith. County Administrative Officer Carol Huchingson, County Counsel Anita Grant, and Assistant Clerk of the Board Carolyn Purdy were present, along with the following Supervisors:*

*Present: Supervisor Simon, Supervisor Steele, Supervisor Scott, Supervisor Brown and Chair Smith*

### 2. Moment of Silence

*A moment of silence was observed.*

### 3. Pledge of Allegiance

*Led by Ray Ruminski.*

### 4. Presentations by County Departments:

**(a) Animal Care & Control - Animals Available for Adoption;**

**(b) Human Resources - Current County Job Openings.**

*(a) Animal Care and Control was not present.*

*(b) Human Resources Analyst Diana Rico presented the current jobs openings at the County of Lake.*

### 5. Consideration of Items Not Appearing on the Posted Agenda (Extra Items)

- 5.1 (a) Consideration of Adoption of the State-Mandated November 13, 2017 Deadline for Return of Right of Entry (ROE) Forms from Sulphur Fire Survivor/Owners for Participation in the County/CalOES/FEMA Debris Cleanup Program; and (b) Consideration of Adoption of a Sulphur Fire Debris Cleanup Deadline in Early 2018 for all Survivor/Owners who do not Return an ROE Form, thus Opting not to Participate in the County/CalOES/FEMA Debris Cleanup Program

*County Administrative Officer Carol Huchingson introduced the item to the Board. Ms. Huchingson is recommending that this extra item, if approved, be discussed at 9:10 a.m. with timed item 8.2.*

*County Administrative Officer Carol Huchingson presented the item to the Board. CalOES has responded to the letter sent last week by Board direction and due to health and safety issues, the Right of Entry (ROE) return date will not be extended. A set deadline is important to evaluate the scope of the project to move forward. Environmental Health Director Ray Ruminski was present and spoke. More than half of the Sulphur Fire ROE's are located in the City of Clearlake. Approximately 135 structures need clean up and that number will be refined by the State. 118 ROE's have been received to date and the private contractor sign up is 5 or 6. The ROE deadline was midnight last night, and the estimate will grow to about 125 ROE's received. There is concern about the clean up deadline for people that do not participate in the CalOES/FEMA program. CalOES states Nov 21, 2017 should be their deadline due to health and safety reasons. City of Clearlake Manager Greg Folsom was present and spoke. Mr. Folsom confirmed that November 21, 2017 is the deadline for CalOES. The County is to report to CalOES who has opted in by this date. Property owners who opt to clean up their own property will have a January 15, 2018 completion date.*

*Chair Smith 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 Steele, and by vote of the Board, approved this item to be considered as an extra for the following reasons: The need to take action due to the State-Mandated deadline of November 13, 2017 for the return of Right of Entry Forms and the need to determine a debris cleanup deadline. The motion carried by the following vote:**

**Ayes: Supervisors Simon, Steele, Scott, Brown and Smith**

**On motion of Supervisor Simon, and by vote of the Board, adopted the State-Mandated November 13, 2017 Deadline for Return of Right of Entry (ROE) Forms from Sulphur Fire survivor/owners for participation in the County/CalOES/FEMA Debris Cleanup Program. The motion carried by the following vote:**

**Ayes: Supervisors Simon, Steele, Scott, Brown and Smith**

**On motion of Supervisor Simon, and by vote of the Board, adopted the Sulphur Fire Debris Cleanup Deadline of January 15, 2018 for all Survivor/Owners who do not Return an ROE Form, thus opting not to participate in the County/CalOES/FEMA Debris Cleanup Program. The motion carried by the following vote:**

**Ayes: Supervisors Simon, Steele, Scott, Brown and Smith**

## **6. Current Construction Projects - Contract Change Orders**

*There were no contract change orders to consider.*

## 7. Approval of the Consent Agenda

- 7.1 Approve Letter of Support for AB 550 (Reyes), Long-Term Care Ombudsman Funding
- 7.2 (a) Approve Agreement Between the County of Lake and the City of Clearlake for Public Health and Environmental Health Assistance Provided for State or Presidentially Declared Disasters and authorize the Chair to sign; and (b) Approve Agreement Between the County of Lake and the City of Clearlake for Reimbursement of Cost Share for Public Health and Environmental Health Assistance Provided for State or Presidentially Declared Disasters and authorize the Chair to sign.
- 7.3 Adopt Resolution Establishing Salaries and Benefits for Employees Assigned to the Management Unit for the Period from July 1, 2017, Through June 30, 2018.  
*Pulled at the request of the Department to be brought back at a later date.*
- 7.4 Adopt Resolution Establishing Salaries and Benefits for Employees Assigned to Confidential Unit "A" for the Period from July 1, 2017, Through June 30, 2018.  
*Pulled at the request of the Department to be brought back at a later date.*
- 7.5 Adopt Resolution Establishing Salaries and Benefits for Employees Assigned to Confidential Unit "B" for the Period from July 1, 2017, Through June 30, 2018.  
*Pulled at the request of the Department to be brought back at a later date.*
- 7.6 Approve Second Amendment to Memorandum of Understanding (MOU) by and between the County of Mendocino and the County of Lake for Sealer of Weights and Measures Service (Mendocino County Agreement No. 17-048), and authorize the Department Head to sign.
- 7.7 Approve Amendment No. 2 to the Agreement between County of Lake and Charis Youth Center for Fiscal Year 2017-18 for a new contract maximum of \$50,000 and authorize the Board Chair to sign the Amendment.
- 7.8 Approve Request to Close the Child Support Office for Training/Team Building on Wednesday, November 15, 2017
- 7.9 (Sitting as Lake County Sanitation District, Board of Directors) - Adopt Resolution to Cancel Lake County Sanitation District Southeast (LACOSAN SE) O&M Reserve Designations in the amount of \$20,000 and appropriate the funds to 254.8354.783.62-74 - Equipment - Other.

*Pulled at the request of the Department to be brought back at a later date.*

- 7.10** Approve the Department of Boating and Waterways 2018/19 Application for Financial Aid in the amount of \$501,332.89; and authorize the Sheriff to sign.

On motion of Supervisor Steele, and by vote of the Board, approved Consent Agenda items 7.1 through 7.10, with the exception of 7.3, 7.4, 7.5, and 7.9, which were pulled to be brought back at a later date. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

## **8. Timed Items**

### **8.1 9:05 A.M. - Public Input**

*Ceva Giumelli spoke.*

- 8.2** 9:10 A.M. - (a) Consideration of Continuation of a Proclamation of a Local Health Emergency by the Lake County Health Officer; and (b) Update and Discussion on Sulphur Fire Recovery

*(a) Public Health Director Denise Pomeroy presented the item to the Board. Environmental Health Director Ray Rumnski was present and spoke.*

*(b) County Administrative Officer Carol Huchingson presented the item to the Board. Water Resources Director Phil Moy was present and spoke. City of Clearlake Manager Greg Folsom was present and spoke. FEMA Division Supervisor Lance Harbor and CalOES Emergency Services Coordinator Dana Ellis were present and spoke. FEMA and CalOES are vetting the needs of families displaced by the Sulphur Fire for long term housing. Manufactured housing and travel trailers will be placed at the Clear Lake Resort. The Disaster Recovery Center will remain open for a few more weeks. The County has made good progress on collecting the Right of Entry (ROE) forms, with a total of 118 collected out of 135 total properties. Damage assessments of the fire are scheduled for today. Lance Harbor introduced Bill Robertson, who will be taking the position of Division Supervisor with FEMA when Mr. Harbor leaves.*

**(a)** On motion of Supervisor Steele, and by vote of the Board, approved the Continuation of a Proclamation of a Local Health Emergency by the Lake County Health Officer. The motion carried by the following vote:

Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon

- 8.3** 9:15 A.M. - Consideration and Discussion of the Red Net Fire Response Frequency in Lake County

*Supervisor Steele presented the item to the Board. Northshore Fire Protection District Chief Jay Beristianos, Lakeport Fire District Chief Doug Hutchison, Lake County Fire Protection District Chief Willie Sapeta and Kelseyville Fire District Joe Huggins were present. Chief Beristianos spoke. The Fire Chiefs' are requesting concurrent licensing with the County and the Fire Chiefs Association through the FCC. Sheriff Brian Martin was present and spoke.*

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

**Discussion Only. No Action Taken.**

**8.4 9:30 A.M. - (a) Report on the efforts of staff to develop a one year Lease Agreement Between the County of Lake and the Lake County Fire Chiefs' Association for use of the Lake Red Net radio frequency; and (b) Consideration of First Amendment to Agreement Between the County of Lake and the Fire Protection Districts for Dispatch Services**

*(a) County Administrative Officer Carol Huchingson presented the item to the Board. Sheriff Brian Martin spoke and will support an agreement between the County for a one year use of Red Net while the Lake North infrastructure is developed out, to give the Fire Chiefs the repeatable frequency they need. This would include administrative, equipment, maintenance of repeaters and rental costs paid to the County. Chief Deputy County Administrative Officer Jeff Rein was present and spoke. There are Federal regulations will govern such leases and our department is identifying the scope of those regulations. Chief Beristianos spoke for all the Fire Chiefs' and would like the concurrent licensing option only. They have been working with an agency regarding the concurrent and FCC licensing. County Counsel Anita Grant also spoke and stated further research was necessary.*

*Chair Smith 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.*

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

**(a) Direction to staff was given to prepare a draft in compliance with the FCC for use of the Lake Red Net radio frequency and offer options.**

**(b) On motion of Supervisor Simon, and by vote of the Board, approved the First Amendment to Agreement Between the County of Lake and the Fire Protection Districts for Dispatch Services. The motion carried by the following vote:**

**Ayes- Supervisors: 4 - Smith, Steele, Scott and Simon**

**Nayes- Supervisors: 1 - Brown**

## **9. Non-Timed Items**

### **9.1 Supervisors' weekly calendar, travel and reports**

#### **9.2 Consideration of Proposed Findings of Fact and Decision in the Appeal of Joan Sturges (AB 17-04)**

*County Counsel Anita Grant presented the item to the Board.*

*Chair Smith 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 Steele, and by vote of the Board, approved Findings of Fact and Decision in the Appeal of Joan Sturges (AB 17-04). The motion carried by the following vote:**

**Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon**

- 9.3** (Sitting as the Lake County Sanitation District, Board of Directors) - Consideration of (a) Waiving the Consultant Selection Process as it will not provide an additional benefit to the County or District; and (b) Approval of Engineering Services Agreement for Construction Management and Inspection in the amount of \$357,000 with Brelje & Race for the Anderson Springs Sewer Project and Authorize the Chair to Sign

*Special Districts Administrator Jan Coppinger presented the item to the Board.*

*Chair Smith 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 Simon, and by vote of the Board, a) Waived the Consultant Selection Process as it will not provide an additional benefit to the County or District; and (b) Approved the Engineering Services Agreement for Construction Management and Inspection in the amount of \$357,000 with Brelje & Race for the Anderson Springs Sewer Project and Authorized the Chair to Sign. The motion carried by the following vote:**

**Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon**

- 9.4** Consideration of Potential Use of Eastlake Landfill as a Final Disposal Location for Debris Generated from the 2017 Wildfires Located Outside of Lake County

*Public Services Director Lars Ewing presented the item to the Board and gave a PowerPoint presentation of the current state of airspace and expansion of the Eastlake Landfill, which is at 87% capacity for 2017. Environmental Health Director Ray Ruminski was present and spoke.*

*Chair Smith 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.*

**Direction to staff to develop an agreement with Environmental and Chemical Consulting, Inc (ECC) to move debris to the Eastlake Landfill via Hwy 29 to Hwy 53 including costs, for use as a final disposal location for the debris generated from the 2017 Wildfires located outside of Lake County.**

- 9.5** Consideration of (a) Waiving the Consultant Selection Process as it will not provide any benefit to the County or the District; and (b) Approval of the MOU between Cobb Area Water and Special Districts, allowing the remaining Geothermal Mitigation Funds to be used for the Engineering and Design of Phase #1 of the Cobb Water Consolidation and authorize the Chair to sign.

*Special Districts Administrator Jan Coppinger presented the item to the Board.*

*Chair Smith 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 Brown, and by vote of the Board, (a) Waived the Consultant Selection Process as it will not provide any benefit to the County or the District; and (b) Approved the MOU between Cobb Area Water and Special Districts, allowing the remaining Geothermal Mitigation Funds to be used for the Engineering and Design of Phase #1 of the Cobb Water Consolidation and authorized the Chair to sign. The motion carried by the following vote:**

**Ayes- Supervisors: 5 - Smith, Steele, Brown, Scott and Simon**

## 10. Closed Session

*Chair Smith announced that the Board would now go into Closed Session for the reasons stated on the agenda.*

- 10.1** Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9(d)(1): Loberg v. County of Lake, et al.

*No action taken*

- 10.2** (Sitting as the Lake County IHSS Public Authority Board of Directors) - Conference with Labor Negotiator: (a) Agency Negotiator: Crystal Markytan and F. Buchanan (b) Employee Organization: California United Homecare Workers Union AFSCME/SEIU Local 4034

*The Board reconvened into Regular Session at 12:30 p.m. having taken no action.*

## 11. Adjournment

*There being no further business, the Board of Supervisors adjourned at 12:30 p.m.*

**CAROL J. HUCHINGSON**  
Clerk of the Board

By:   
Carolyn Purdy  
Assistant Clerk of the Board

  
Chair-Lake County Board of Supervisors

