



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, November 20, 2018

9:00 AM

Board Chambers

1. Call to Order

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

Present: 5 - Vice Chair Simon, Supervisor Smith, Chair Scott, Supervisor Brown and Chair Steele

2. Moment of Silence

A moment of silence was observed and dedicated to past Sheriff office employee Crystal Esburg, and the victims of the shooting in Southern California and victims of the Paradise and Southern California fires.

3. Pledge of Allegiance

Led by citizen Gene Paleno.

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

There were no extra items to consider.

5. Current Construction Projects - Contract Change Orders

There were no contract change orders to consider.

6. Approval of the Consent Agenda

6.1 Adopt Proclamation Recognizing Lake County as a Dark Sky Destination

6.2 Approve Minutes of the Board of Supervisors meetings held July 17, 2018, July 24, 2018, October 2, 2018 and October 23, 2018

6.3 Approve Leave of Absence Request for Social Worker Karen Corl from October 28, 2018 through February 1, 2019 and authorize the Chair to sign

6.4 Approve in Concept the Revised Exhibit A to the County Uniform and Clothing Policy and Direct the Human Resources Director to Conduct the Meet and Confer Process with the Appropriate Employee Representatives

- 6.5** (a) Adopt Resolution Amending Resolution 2018-125 Establishing Salaries and Benefits for Management Employees for the Period from July 1, 2018 to June 30, 2019; (b) Adopt Resolution Amending Resolution 2018-126 Establishing Salaries and Benefits for Confidential A Employees for the Period from July 1, 2018 to June 30, 2019; and (c) Adopt Resolution Amending Resolution 2018-127 Establishing Salaries and Benefits for Confidential B Employees for the Period from July 1, 2018 to June 30, 2019.

Enactment No: (a) Resolution No. 2018-150; (b) Resolution No. 2018-151; (c) Resolution No. 2018-152

- 6.6** Approve Request to Close Behavioral Health Services Offices on Friday, December 14, 2018 from Noon-5:00 pm for Winter All Staff Training Meeting.

- 6.7** Adopt the Resolution approving the First Amendment to the Standard Agreement between the County of Lake and the Department of Housing and Community Development (DHCD) for the No Place Like Home Technical Assistant Grant Award and Authorizing the Behavioral Health Administrator to sign the First Amendment

Enactment No: Resolution No. 2018-153

- 6.8** (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 Adventist Health Clearlake for the Fiscal Year 2018-19 for a contract maximum of \$100,000 and authorize the Board Chair to sign the Agreement

- 6.9** (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) Contract with Ken Dorsey Janitorial to Provide Janitorial Services for the Lake County Health Department and Authorize the Board Chair to Sign

- 6.10** (Sitting as Lake County Sanitation District, Board of Directors) (a) Waive the formal bidding process, pursuant to Lake County Code Section 2-38.4, Cooperative Purchases. (b) Approve purchase of 2019 Ford F-350 truck with utility body upgrade and authorize the Special Districts Administrator acting as the Deputy Purchasing Agent to issue and sign a P.O. not to exceed \$84,000 with Downtown Ford Sales of Sacramento.

- 6.11** Approve Aeronautical Activities Permit at Lampson Field Airport between the County of Lake and Jack Olof for Fiscal Year 2018/2019, and authorize the Chair to sign

- 6.12** Approve Aeronautical Activities Permit at Lampson Field Airport between the County of Lake and Reach Air Medical Services, LLC for Fiscal Year 2018/2019, and authorize the Chair to sign

- 6.13** Approve the Department of Boating and Waterways 2019/20 Application for Financial Aid in the amount of \$363,907.14; and authorize the Sheriff to sign.
- 6.14** Approve Agreement Between the County of Lake and The Regents of the University of California in the Amount of \$38,250, for Employee Training from October 1, 2018 to May 31, 2019; and authorize the Chair to sign
- 6.15** (a) Waive the formal bidding process, pursuant to Lake County Code Section 2-38.4, Cooperative Purchases. (b) Approve purchase of 2019 Ford F-150 Super Cab truck and authorize the Special Districts Administrator acting as the Deputy Purchasing Agent to issue and sign a P.O. not to exceed \$28,000 with Downtown Ford Sales of Sacramento.
- 6.16** (a) Waive the formal bidding process, pursuant to Lake County Code Section 2-38.4, Cooperative Purchases. (b) Approve purchase of 2019 Ford F-150 Super Cab 4x4 truck and authorize the Special Districts Administrator acting as the Deputy Purchasing Agent to issue and sign a P.O. not to exceed \$30,000 with Downtown Ford Sales of Sacramento

On motion of Supervisor Scott, and by vote of the Board, approved Consent Agenda items 6.1 through 6.16. The motion carried by the following vote:

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

- 6.17** Adopt Resolution Authorizing Cancelling County Service Area #20, Soda Bay Water, Capital Improvement Reserve Designation in the Amount of \$40,000 to Provide Sufficient Funds for Local Match Requirement of Hazard Mitigation Grant Program for Replacement of Redwood Storage Tanks

Supervisor Scott requested this item be pulled from the Consent Agenda as there was some misinterpretation of the item by the public in regards to the project being cancelled. Ms.Coppinger reconfirmed that the project is still moving forward and funds are being requested differently to allow the department to apply for a larger grant, as the original request was approved two years ago.

Special Districts Administrator Jan Coppinger presented the item to the Board. Deputy Administrator Dan Janakes was also present.

Chair Steele asked if anyone from the public wished to speak and Julie Richardson spoke. No one else wished to speak and the public input portion of this item was closed.

Supervisor Simon offered the Resolution and it was passed by roll call vote:

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

Enactment No: Resolution No. 2018-154

7. Timed Items

7.1 9:05 A.M. - Public Input

There was no public input.

- 7.2** 9:06 A.M. - (a) Recognition of Cathy Saderlund, Auditor-Controller/County Clerk, as Congressman John Garamendi's 2018 Woman of the Year; (b) Recognition of Cathy Saderlund and the Office of the Auditor-Controller/County Clerk for GFOA and State Controller's Office Awards for Financial Reporting for the Fiscal Year ended June 30, 2017

(a) Supervisor Brown presented the item to the Board and read Congressman John Garamendi's recognition of Cathy Saderlund as 2018 Woman of the Year.

Chair Steele 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, recognizing Cathy Saderlund and the Office of the Auditor-Controller/County Clerk for GFOA and State Controller's Office Awards, having qualified for the Certificate of Achievement for Financial Reporting. Ms. Huchingson noted this is the highest form of recognition in government accounting. Cathy Saderlund spoke, recognizing and applauding her staff, who all introduced themselves. The following staff were present: Danielle Vaars, Anthony Valadez, Amber Howe, Connie Flores, Amanda Johnson, Rick Ensley and Julie Ore.

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

This Items were read into the record and presented.

- 7.3** 9:12 A.M. - Consideration of Continuing a Proclamation of a Local Health Emergency by the Lake County Health Officer due to the Pawnee Fire Incident

Interim County Health Officer Erin Gustafson presented the item to the Board. Environmental Health Director Jasjit Kang was present and spoke, confirming that all 15 properties involved did participate in the state cleanup, however the soil samples are not yet back with results.

Chair Steele 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 the continuation of a Proclamation of a Local Health Emergency due to the Pawnee Fire Incident. The motion carried by the following vote:

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

7.4 9:13 A.M. - (a) Consideration of Continuing a Proclamation of a Local Health Emergency by the Lake County Health Officer due to the Mendocino Complex Fire; and (b) Status Report on Mendocino Complex Fire also known as the River and Ranch Fires

(a) Interim County Health Officer Erin Gustafson presented the item to the Board. Environmental Health Director Jasjit Kang and Recovery Coordinator Nathan Spangler were also present.

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

(b) Environmental Health Director Jasjit Kang reported that 172 Right of Entry (ROE) forms were submitted to the State cleanup program, a total of 106 properties have been completed, 12 properties have hired private cleanup and 20 other properties have applied for a private, modified cleanup.

Chair Steele 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 Scott, and by vote of the Board, approved the continuation of a Proclamation of a Local Health Emergency due to the Mendocino Complex Fire Incident. The motion carried by the following vote:

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

- 7.5** 9:30 A.M. - PUBLIC HEARING - Consideration of Ordinance Amendment, AM 18-02 to Amend Chapter 21 of the Lake County Zoning Ordinance to allow Type N and P Cannabis Manufacturing License in the "C2, C3, M1, M2, and PDC" Districts subject to obtaining a Minor Use Permit, Type 6 Non-Volatile Cannabis Manufacturing License in the "APZ, A, TPZ, C3, M1, M2, and PDC" Districts subject to obtaining a Major Use Permit, Type 7 Volatile Cannabis Manufacturing License in the "M2" District subject to obtaining a Major Use Permit, Type 11 Cannabis Distributor License in the "C3, M1, M2, and PDC" Districts subject to obtaining a Major Use Permit, Type 13 Cannabis Distributor Transport Only License in the "C2, C3, M1, M2, and PDC" Districts subject to obtaining a Major Use Permit, Type 13 Cannabis Distributor Transport Only, Cannabis Self -Distribution License in the "APZ, A, TPZ, RL, RR, SR, C2, C3, M1, M2, and PDC" Districts subject to obtaining a Minor Use Permit, Cannabis Processor License in the "APZ, A, TPZ, and RL" Districts subject to obtaining a Major Use Permit, Type 8 Cannabis Testing Laboratory in the "C2, C3, M1, M2 AND PDC" Districts subject to obtaining a Minor Use Permit

Community Development Director Michalyn DelValle presented the item to the Board. Chief Building Official Mary Jane Montana was also present and spoke.

Chair Steele 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 to add language to include Cannabis Retail.

On motion of Supervisor Simon, and by vote of the Board, moved that the Zoning Ordinance text amendment (AM 18-02) is exempt from CEQA Guidelines pursuant to Business and Professions Code section 26055(h) and §15061(b)(3). The motion carried by the following vote:

Ayes: Supervisors Simon, Smith, Scott and Steele

Noes: Supervisor Brown

On motion of Supervisor Simon, and by vote of the Board, approved the Zoning Ordinance text amendment (AM 18-02) applied for by the County of Lake for the reasons listed in the memorandum dated November 20, 2018, as amended. The motion carried by the following vote:

Ayes: Supervisors Simon, Smith, Scott and Steele

Noes: Supervisor Brown

On motion of Supervisor Smith, and by vote of the Board, approved to waive the reading of the ordinance, as amended, and read it in title only (Clek did so). The motion carried by the following vote:

Ayes: Supervisors Simon, Smith, Scott and Steele

Noes: Supervisor Brown

On motion of Supervisor Smith, and by vote of the Board, advanced the ordinance, as amended, for consideration of passage to December 4, 2018. The motion carried by the following vote:

Ayes: Supervisors Simon, Smith, Scott and Steele

Noes: Supervisor Brown

7.6 10:00 A.M. - Presentation of Proclamation Recognizing Lake County as a Dark Sky Destination

Chair Steele read the proclamation into the record and presented it to Dave Vasquez. Mr. Vasquez spoke. There were many Friends of the Observatory present.

This Ceremonial Item was read into the record and presented.

7.7 10:15 A.M. - PUBLIC HEARING - Consideration of Deviation (DV 17-08) and Subdivision Extension (SDX 18-01) Requests for Cobb Vista Subdivision Unit No. 1; SD 16-01; IS 14-11; Located at 15385 Stonefield Court, Middletown (APN 014-111-21); Appellant is Damon Fanucchi

Community Development Associate Planner Mireya Turner presented the item to the Board. Staff is requesting continuance of this hearing.

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

This item was continued to December 11, 2019 at 9:30 a.m.

7.8 10:30 A.M. - PUBLIC HEARING: Consideration of an Ordinance Adding Division 3 to Chapter 9 Establishing Fines and Penalties for the Illegal Disposal of Garbage/Refuse and Creating an Illegal Dumping Prevention Program

County Counsel Anita Grant presented the item to the Board, noting language recommendations. Public Services Deputy Director Kati Galvani was present and spoke. Public Services will bring an item before the Board for universal garbage service at the beginning of the year. Community Development Director Michalyn DelValle and Chief Building Official Mary Jane Montana were present and spoke.

Chair Steele asked if anyone present wished to speak and Gene Paleno spoke. No one else wished to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Smith, and by vote of the Board, approved to waive the reading of the ordinance, as amended, and read it in title only (Clerk did so). The motion carried by the following vote:

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

(b) On motion of Supervisor Smith, and by vote of the Board, advanced the ordinance, as amended, for consideration of passage to December 4, 2018. The motion carried by the following vote:

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

8. Non-Timed Items

8.1 Supervisors' weekly calendar, travel and reports

- 8.2** (a) Consideration of Report from the District Attorney on internal controls used with respect to County credit cards, expenses, reimbursements, mileage and maintenance of County vehicles, necessary to protect the public trust; and (b) Consideration of Report from the District Attorney on his use of limited County resources and justification to attend conferences and training himself, despite leaving office 12/31/18, with possible direction to the County Administrative Officer (CAO)/CalCard Administrator to review and approve his expense requests in advance and/or revoke his privilege to use a CalCard

Supervisor Brown presented the item to the Board. County Administrative Officer Carol Huchingson reported that District Attorney Don Anderson was unable to be present.

Chair Steele asked if anyone present wished to speak and the following people spoke: Joan Moss, Brian Martin and Gene Paleno. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Brown, and by vote of the Board, directed the County Administrative Officer to advise the District Attorney that any further department purchases for travel/training between now and Dec. 4th must be approved by the County Administrative Officer. The agenda item will be continued to December 4, 2019. The motion carried by the following vote:

Ayes- Supervisors: 4 - Smith, Scott, Brown and Steele

Nayes- Supervisors: 1 - Simon

- 8.3** (Continued from November 6, 2018) Consideration of Report from the Treasurer-Tax Collector

Treasurer/Tax Collector Barbara Ringen gave a staff report.

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

The Tax Collector will return in January 2019 and the Board will have recommendations at that time.

- 8.4** Consideration of Proposed 2019 Board of Supervisors Regular Meeting Calendar

Chair Steele turned the gavel over to Vice Chair Scott, as he excused himself from the meeting. Vice Chair Scott presented the item to the Board.

Vice Chair Scott 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, approved 2019 Board of Supervisors Regular Meeting Calendar. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Steele

**8.5 Consideration of Advisory Board Appointment
Kelseyville Cemetery District Board**

Vice Chair Scott presented the item to the Board.

Vice Chair Scott 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, appointed Bob Renker to the Kelseyville Cemetery District Board. The motion carried by the following vote:

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

Absent- Supervisors: 1 - Steele

8.6 (Continued from October 16, 2018) (a) Consideration of a Resolution establishing a Protocol for the Appointment of Director to the Lakeport Fire Protection District; (b) Consideration of Nomination by the Lakeport Fire Protection District to their Lakeport Fire Protection District, Board of Directors; and (c) Discussion of Board of Supervisors appointments to the Lakeport Fire Protection District Board of Directors

(a) County Counsel Anita Grant presented the item to the Board.

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

(b) Supervisor Scott presented the item to the Board. County Administrative Officer Carol Huchingson spoke to advertising one vacancy for the appointment of the County appointment effective January 1, 2019. County Counsel Anita Grant spoke.

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

(c) Supervisor Scott presented the item to the Board. Lakeport City Manager Margaret Silveira was present and spoke. County Counsel Anita Grant spoke.

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

(a) Supervisor Scott offered the Resolution and it passed by roll call vote:

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

(b) The nomination to the Lakeport Fire Protection District, Board of Directors, is pending the advertisement for this opening per the adopted resolution.

(c) There was Board consensus that directed Staff to commit to a date for a meeting with the City of Lakeport and the Lakeport Fire Protection District, Board of Directors.

- 8.7** Reconsideration of Ordinance Amendment, AM 18-03 to Amend Chapter 21 of the Lake County Zoning Ordinance to allow a restaurant up to 750 square feet accessory to a permitted tasting room in the "APZ," "A," "RL," "RR," and "SR" Districts; allow a restaurant exceeding 750 square feet in size accessory to permitted tasting room subject to obtaining a Major Use Permit in the "APZ," "A," "RL," "RR" and "SR" Districts; allow a reduction of the Minimum Residential Construction Standards in the "R1" District from a minimum dwelling size of 720 square feet to 360 square feet, a minimum width reduction from 15 feet to 12 feet and a minimum eave reduction from 12 inch to 6 inch; establish a permit process to allow Emergency Temporary Dwellings after a catastrophic or natural disaster; modify the Collectors Permit conditions to allow a two car garage up to 500 square feet accessory to a permitted dwelling; allow a reduction in the Minimum Residential Construction Standards of the "MH" Mobile Home Combining District from a minimum dwelling size of 560 square feet to 360 square feet

Community Development Director Michalyn DelValle presented the item to the Board.

Chair Steele 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 Smith, and by vote of the Board, waived the reading of the Ordinance to be read in title only (Clerk did so). The motion carried by the following vote:

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

Supervisor Smith offered the Ordinance and it passed by roll call vote:

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

Enactment No: Ordinance No. 3077

- 8.8** Consideration of a Resolution Authorizing Hiring Incentives for Correctional Officer I/II, Correctional Sergeant, Public Safety Dispatcher I/II and Supervising Public Safety Dispatcher job classifications

Sheriff Brian Martin presented the item to the Board.

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

Supervisor Brown offered the Resolution and it was passed by roll call vote:

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

Enactment No: Resolution No. 2018-155

8.9 Discussion and Consideration of Inmate Transportation during Contractor Repair of the Courthouse Elevators

Sheriff Martin presented the item to the Board. The Chair announced that the meeting would go into recess to break for lunch.

Public Services Deputy Director Kati Galvani and Facilities Superintendent Bob Allen were present for the afternoon portion of this item, to answer questions. Ms. Galvani stated that repairs are two months out.

Chair Steele asked if anyone present wished to speak and Tim Kiyara spoke. No one else wished to speak and the public input portion of this item was closed.

There was Board consensus to direct staff to look into the retrofit of the Courthouse public elevator work with the Sheriff to see what can be done to best manage the safety for the usage of one elevator during the down time of other.

8.10 Consideration of Agreement Between County of Lake and Redwood Community Services, for SB 163 Wraparound Services in the Amount not to Exceed \$864,000 from September 1, 2018 to June 30, 2021; and Authorize the Chair to Sign

The Meeting reconvened after lunch. Social Services Child and Adult Services Deputy Director Amber Davis presented the item to the Board. Redwood Children's Services Lake County Director Tawny Bailey was present and spoke.

Chair Steele 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 the Agreement between County of Lake and Redwood Community Services, for SB 163 Wraparound Services in the Amount not to Exceed \$864,000 from September 1, 2018 to June 30, 2021 and authorized the Chair to sign. The motion carried by the following vote:

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

9. Closed Session

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

9.1 Public Employee Evaluation

Title: County Counsel

9.2 Public Employee Appointment Pursuant to Gov. Code Section 54957(b)(1):

(a) Interviews of Interim Registrar of Voters

(b) Appointment of Interim Registrar of Voters

(b) Continued to December 4, 2018

9.3 Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9(d)(1): Tabb aka Ward v. Wright, et al.

- 9.4 ADDENDUM** - Conference with Labor Negotiator: (a) Chief Negotiator: M. Long; County Negotiators: C. Huchingson and P. Nichols; and (b) Employee Organization: LCDSA

The Board reconvened into Regular Session at 4:45 p.m. having taken no action.

10. Adjournment

There being no further business, the Board of Supervisors adjourned at 4:45 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____

Carolyn Purdy
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors

