



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, February 26, 2019

9:00 AM

Board Chambers

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Scott. 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: Supervisor Simon, Supervisor Sabatier, Supervisor Crandell, Supervisor Brown and Chair Scott

2. Moment of Silence

A moment of silence was observed.

3. Pledge of Allegiance

Led by Gene Paleno.

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

4.1 (a) Consideration of an Extra Item for the reasons listed; and (b) Consideration of damage being done to roads in the Gifford Springs area due to heavy rainfall, with possible direction to staff to reach out to the State representatives with regard to their assistance in remediation.

Supervisor Brown presented the item to the Board. Public Works Director Scott DeLeon gave a status update on the roads in the Gifford Springs area.

Chair Scott asked if anyone present wished to speak and Ben Murphy, the General Manager of Cobb Area Water spoke. No one else wished to speak and the public input portion of this item was closed.

(a) On motion of Supervisor Brown, 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 the attention of the County subsequent to the agenda being posted. The motion carried by the following vote:

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

(b) On motion of Supervisor Brown, and by vote of the Board, approved the recommendation to work with staff to draft a request to State representatives for remediation. The motion carried by the following vote:

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

5. Approval of the Consent Agenda

- 5.1** Adopt Resolution Amending Resolution No. 2018-165 Declaring the Board of Supervisors Intent to Sell Property Not Required for Public Use, Located at 8695 Soda Bay Road, Kelseyville, California (APN 009-002-430), Pursuant to Government Code Section 25520 Et Seq.

Enactment No: Resolution No. 2019-23

- 5.2** (Sitting as the Lake County Air Quality Management District Board of Directors) Approve waiver of the 900 hour limitation for Extra Help Air Quality Specialist Robert Boss.
- 5.3** (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 BHC Heritage Oaks Hospital for the Fiscal Year 2018-19 for a contract maximum of \$25,454 and authorize the Board Chair to sign.
- 5.4** Approve First Amendment to the Service Agreement Between County of Lake and Redwood Toxicology Lab, INC in the Amount of \$25,000 From July 1, 2017 to June 30, 2020 and Authorize the Chair to Sign.
- 5.5** Approve the Plans and Specifications for the Hill Road Correctional Facility Security Electronics Upgrade Project, Bid No. 19-03, and authorize the Public Services Director / Assistant Purchasing Agent to advertise for bids.
- 5.6** Adopt a Resolution authorizing the Special Districts Administrator to initiate all transfers of Starview Water CSA #18 assets, liabilities and fund equity in a manner prescribed by the County Auditor-Controller and as authorized and approved by the County Administrative Officer and that all conveyance of property, real and personal of the dissolved district, as illustrated in Attachment A, to Cobb Area County Water District shall be properly executed by the Special Districts Administrator.

Enactment No: Resolution No. 2019-24

- 5.7** Adopt a Resolution authorizing the Special Districts Administrator to initiate all transfers of Bonanza Springs Water CSA #7 assets, liabilities and fund equity in a manner prescribed by the County Auditor-Controller and as authorized and approved by the County Administrative Officer and that all conveyance of property, real and personal of the dissolved district, as illustrated in Attachment A, to Cobb Area County Water District shall be properly executed by the Special Districts Administrator.

Enactment No: Resolution No. 2019-25

- 5.8** Adopt a Resolution authorizing the Special Districts Administrator to initiate all transfers of CSA #22 Mt Hannah Water assets, liabilities and fund equity in a manner prescribed by the County Auditor-Controller and as authorized and approved by the County Administrative Officer and that all conveyance of property, real and personal of the dissolved district, as illustrated in Attachment A, to Cobb Area County Water District shall be properly executed by the Special Districts Administrator.

Enactment No: Resolution No. 2019-26

- 5.9** Award Bid for the Relocation of Sewer Facilities in Middletown project, in the amount of \$341,449.00 to Terracon Constructors, Inc. of Healdsburg, CA and Authorize the Chair to execute the Notice of Award and Agreement.

On motion of Supervisor Simon, and by vote of the Board, approved Consent Agenda items 5.1 through 5.9. The motion carried by the following vote:

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

Chair Scott stated there was an issue with Consent Agenda item 5.9 and a motion to reopen the item was needed. County Administrative Officer Carol Huchingson presented the item to the Board and explained that the Notice of Award is to be signed but the agreement will come back next month with a resolution appropriating funds.

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 to reopen the Consent Agenda for reconsideration. The motion carried by the following vote:

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

On motion of Supervisor Sabatier, and by vote of the Board, approved Consent Agenda items 5.1 through 5.8. The motion carried by the following vote:

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

On motion of Supervisor Simon, and by vote of the Board, approved Consent Item 5.9, the Award of Bid for the relocation of sewer facilities in Middletown project, in the amount of \$341,449 to Terracon Constructors Inc. of Healdsburg, CA and authorized the Chair to execute the Notice of Award only. The motion carried by the following vote:

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

6. Timed Items

6.1 9:05 A.M. - Public Input

Water Resources Director David Cowan provided an update on recent flooding events. Public members Gene Paleno and Milos Luebner spoke.

6.2 10:00 A.M. - Consideration of Approval of Resolution of the Board of Directors of the Lakeport Fire Protection District Calling for a Mail Ballot Election for Voter Approval of a Parcel Tax

Lakeport Fire District Board of Directors member William Gabe presented the item to the Board.

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 the resolution of the Board of Directors of the Lakeport Fire Protection District calling for a Mail Ballot Election for voter approval of a parcel tax. The motion carried by the following vote:

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

6.3 10:15 A.M. - Discussion and Consideration of the efficacy of the Cannabis Cultivation Ordinance with possible direction to staff

Community Development Director Michalyn DelValle presented the item to the Board. Principal Planner Byron Turner was also present and spoke. Ms. DelValle spoke to the pre-application processing, noting that the approval rate is approximately 3 applications per week. Air Quality Director Doug Gearhart was present and addressed the fees and process of how cannabis odor is measured. County Counsel Anita Grant spoke.

Chair Scott asked if anyone present would like to speak and the following people spoke: Travis Leto, Carrie Ham, Sheriff Brian Martin, Erin McCarrick, Natasha Zobuglaski, George Ruvoles Jenny, Wayne Souza, Sandra, Jackie Scott, Troy Voris, Jerry/Jarod Hendricks, Richard Knoll, Lance Williams, Chris Jennings, Omar Mulfano, Taylor Tolsen, Julia Currera, Bob Skala, Bobby Dutcher, Robert Adelman, Mike Mitzel, Milos Luebner, Jennifer Smith, John Ham, Pat Paralee, Dennis Heinmicks and Joan Moss. No one else wished to speak and the public input portion of this item was closed.

Direction to staff to bring back revisions to the Ordinance on April 2, 2019 and again on April 23, 2019.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 Consideration of Report from the Lake County Land Trust regarding the Wright Property - Big Valley Wetlands Preservation Project

Valerie Nixon presented the item to the Board and gave a PowerPoint presentation on the Lake County Land Trust.

Chair Scott asked if anyone present wished to speak and the following person spoke: Milos Luebner. No one else wished to speak and the public input portion of this item was closed.

No action - report only.

7.3 Consideration of Change in Composition of Board appointed committee to negotiate with the City of Lakeport regarding the South Main area

Supervisor Brown presented the item to the Board and discussed having someone replace him in the negotiations on this committee. Supervisor Simon has agreed to step in for the negotiations.

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, approved to change the negotiating team to remove Supervisor Brown and appoint Supervisor Moke Simon, Special Districts Administrator Jan Coppinger and Public Works Director Scott DeLeon to the committee to negotiate with the City of Lakeport regarding the South Main area and to explore County options for retaining the area with the possibility of adding the needed infrastructure for water and sewer. The motion carried by the following vote:

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

7.4 Consideration of Reactivation of the Airport Land Use Commission

Supervisor Sabatier presented the item to the Board.

Chair Scott asked if anyone present wished to speak and the following person spoke: Tom Lincoln. No one else wished to speak and the public input portion of this item was closed.

On motion of Supervisor Simon, and by vote of the Board, moved to reactivate the Airport Land Use Commission and appointed Supervisor Scott and Supervisor Brown to the Commission. The motion carried by the following vote:

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

7.5 Consideration of Letter to Governor Newsom to express appreciation for his support of AB 72

County Administrative Officer Carol Huchingson presented the item to the Board. Ms. Huchingson will bring a similar letter of appreciation to Senator McGuire next week for consideration.

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 the Letter to Governor Newsom to express appreciation for his support of AB 72, to be signed by all five Board members. The motion carried by the following vote:

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

7.6 Consideration of update from staff on recruitment efforts for the Department Head positions of Registrar of Voters and Animal Care and Control Director

County Administrative Officer Carol Huchingson presented the item to the Board regarding recruitment efforts. Ms. Huchingson asked to form a committee to discuss next steps in the recruitment and interview process.

Chair Scott 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 form a committee consisting of the Chair and Vice-Chair to meet with staff today to talk about next steps for the recruitment efforts and discuss interview plans for the next agenda.

7.7 Consideration of Agreement Between the County of Lake and Community Development Services for Community Development Block Grant (CDBG) General Administrative Services for \$210,000

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

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 Sabatier, and by vote of the Board, approved the Agreement Between the County of Lake and Community Development Services for Community Development Block Grant (CDBG) General Administrative Services for \$210,000, and authorized the Chair to sign. The motion carried by the following vote:

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

7.8 Discussion and Consideration of a Second Amendment to the Joint Powers Agreement Creating the Lake County Community Risk Reduction Authority In Order to Include the Lake County Fire Protection District as a Member

County Counsel Anita Grant presented the item to the Board.

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, approved the Second Amendment to the Joint Powers Agreement Creating the Lake County Community Risk Reduction Authority In Order to Include the Lake County Fire Protection District as a Member, and authorize the Chair to sign. The motion carried by the following vote:

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

- 7.9** Consideration of Correction of Typographical Error in Approved Resolutions of Intention to Create: (a) Zone of Benefit Clearlake Riviera Within CSA No.23; (b) Zone of Benefit Buckingham Within CSA No.23; (c) Zone of Benefit Riviera West Within CSA No.23; and (d) Zone of Benefit Riviera Heights Within CSA No.23.

County Counsel Anita Grant presented the item to the Board.

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, approved the correction of typographical errors in approved Resolutions of Intention to Create: (a) Zone of Benefit Clearlake Riviera Within CSA No.23; (b) Zone of Benefit Buckingham Within CSA No.23; (c) Zone of Benefit Riviera West Within CSA No.23; and (d) Zone of Benefit Riviera Heights Within CSA No.23. The motion carried by the following vote:

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

- 7.10** Consideration of Resolution Approving Alternate Office Hours for Health Services Department

Chair Scott presented the item to the Board.

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

Enactment No: Resolution No. 2019-27

- 7.11** Consideration of Change Order #3 for Anderson Springs Sewer Project for an increase of \$8,391.01 and a revised contract amount of \$6,966,041.17 and authorize the Administrator to sign.

Chair Scott presented the item to the Board.

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 Change Order #3 for Anderson Springs Sewer Project for an increase of \$8,391.01 and a revised contract amount of \$6,966,041.17 and authorized the Special Districts Administrator to sign. The motion carried by the following vote:

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

8. Closed Session

Chair Scott announced that the Board would now go into Closed Session at 1:05 p.m. for the reasons stated on the agenda.

8.1 Conference with Legal Counsel: Existing Litigation pursuant to Gov. Code sec. 54956.9(d)(1): County of Lake, et al. v. PG&E, et al

The Board reconvened into Regular Session at 1:38 p.m. having taken no action.

9. Adjournment

There being no further business, the Board of Supervisors adjourned at 1:38 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

By: _____

Carolyn Purdy
Assistant Clerk of the Board

Chair-Lake County Board of Supervisors

