



COUNTY OF LAKE

255 North Forbes Street
Lakeport, CA 95453

Meeting Minutes - Final BOARD OF SUPERVISORS

Tuesday, July 20, 2021

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 9:00 a.m. by Chair Sabatier. 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 Simon, Supervisor Crandell, Supervisor Scott, Supervisor Pyska and Chair Sabatier

2. Moment of Silence

A moment of silence was dedicate to the people in Clearlake Oaks who lost their homes to a recent fire.

3. Pledge of Allegiance

Led by Supervisor Scott.

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

4.1 Extra Item - (a) Consideration of an Extra Item; and (b) Consideration of Purchase Agreement Between the County of Lake and Valley Oaks Land and Development, Inc. for Surplus Property Located at Arabian Lane, Hidden Valley Lake, California

a) Public Works Director Scott De Leon presented the item to the Board.

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

b) Public Works Director Scott De Leon presented the item to the Board.

Chair Sabatier 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 taking this item up as an extra item. The motion carried by the following vote:

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

b) On motion of Supervisor Simon, and by vote of the Board, approved Purchase Agreement Between the County of Lake and Valley Oaks Land and Development, Inc. for Surplus Property Located at Arabian Lane, Hidden Valley Lake, California. The motion carried by the following vote:

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

4.2 EXTRA ITEM: (a) Consideration of “extra” agenda item, and, (b) Consideration of Resolution Urging the Public to Continue to Wear Mask in Indoor Settings

a) Supervisor Pyska presented the item to the Board. County Counsel Anita Grant spoke.

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

b) County Administrative Officer Carol Huchingson introduced the item to the Board. Supervisor Pyska presented the item to the Board.

Chair Sabatier asked if anyone present wished to speak and the following people spoke via Zoom: Stephanie Pahwa, Tom Slaight, Will Tuttle, and Amanda Brock. No one else wished to speak and the public input portion of this item was closed.

a) On motion of Supervisor Pyska, and by vote of the Board, approved taking this item up as an extra item. The motion carried by the following vote:

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

b) Supervisor Pyska offered the resolution and it was passed by roll call vote:

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

Enactment No: Resolution 2021- 88

5. Approval of the Consent Agenda

5.1 (a) Approve the Purchase of an Animal Control Box in the amount of \$30,776.15 and (b) authorize the Animal Care and Control Director or his designee to issue a Purchase Order

5.2 Approve the Continuation of a Local Health Emergency Related to the 2019 Coronavirus (COVID-19) as Proclaimed by the Lake County Public Health Officer

5.3 Approve the Continuation of a 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

5.4 Approve the Continuation of a Local Emergency due to the Mendocino Complex Fire Incident (River and Ranch Fires).

5.5 Approve the Continuation of a Local Emergency due to COVID-19

5.6 Approve the Continuation of a Local Emergency due to the Pawnee Fire Incident.

5.7 Approve the Continuation of an Emergency Declaration for Drought Conditions

5.8 Approve the Continuation of a Local Emergency In Lake County in Response to the LNU Lightning Complex Wildfire Event

- 5.9** Adopt Resolution amending Resolution No, 2021-68 Establishing Position Allocations for Fiscal Year 2021-2022, Budget Unit No. 4012, Health Services Administration

Enactment No: Resolution 2021-89

- 5.10** Approve Amendment Five to the Agreement between the County of Lake and Evan Bloom, MD, MPH, to Assist the Lake County Public Health Officer During the COVID-19 Crisis Response and Authorize the Board Chair to Sign

- 5.11** Adopt Proclamation Designating the Week of July 18-24 as Probation Officers Week in Lake County, CA.

- 5.12** a) Adopt Resolution revising the Fiscal Year 2021-2022 Adopted Budget of the County of Lake by cancelling reserves in Fund 254 Lake County Sanitation District Southeast Capital Improvement Reserve Designation, in the amount of \$82,000 to make appropriations in the Budget Unit 8354, Object Code 783.62-74 to purchase a mobile generator to provide backup power to Lift Stations #1, 2, 3, and 4. (b) Waive the formal bidding process, pursuant to Lake County Code Section 2-38.2, Not in the Public Interest. (c) Approve purchase of a used, low hours (2,000 hours) Multiquip 300kVa portable generator and authorize the Special Districts Administrator/Assistant Purchasing Agent to issue and sign a purchase order not to exceed \$82,000 to Generator World of Sacramento, CA.

On motion of Supervisor Crandell, and by vote of the Board, approved Consent Agenda Items 5.1 through 5.12. The motion carried by the following vote:

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

Enactment No: Resolution No. 2021-90

6. Timed Items

6.1 9:05 A.M. - Public Input

Public Members Anthony Morris, Marianne Noltzer, Sherri Pryer, Lynn Carrie, Jan Skype, Karen Ruggles, Amanda Brock, Tom Slaughter, Denise Pomeroy, and Aram Bronston spoke.

- 6.2** 9:06 A.M. - Presentation of Proclamation Designating the Week of July 18-24 as Probation Officers Week in Lake County, CA.

Supervisor Scott read the proclamation into the record and presented it to the Probation Department. Chief Probation Officer Rob Howe spoke.

Chair Sabatier asked if anyone present wished to speak. No one 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. - PUBLIC HEARING - (Continued from July 13, 2021) - (Sitting as Lake County Sanitation District - Board of Directors) -Consideration of Resolution of Delinquent Sewer Fees for Lake County Sanitation District

Special Districts Administrator Scott Harter presented the item to the Board. County Counsel Anita Grant spoke.

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

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

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

Enactment No: Resolution No. 2021-91

6.4 10:00 A.M. - PUBLIC HEARING - Consideration of Rezone for Brand Family Parcel Map Project; General Plan Amendment (GPAP 17-01); Rezone (RZ 17-01); Parcel Map (PM 17-01); and Initial Study (IS 17-31)

Associate Planner Eric Porter presented a PowerPoint Presentation to the Board. County Administrative Officer Carol Huchingson spoke.

Chair Sabatier asked if anyone present wished to speak and the following person spoke via Zoom: John, Robert Hall, Glenice Dunbar, and Betsy Cawn. 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, approved Initial Study IS 17-31 and the mitigation measures identified in the Mitigation Monitoring Reporting Program, that General Plan Amendment GPAP 17-01, Rezone RZ 17-01 and Tentative Parcel Map PM 17-01 will not have a significant effect on the environment and thereof, recommend the Board of Supervisors approve the proposed Mitigated Negative Declaration and its associated Mitigation Monitoring Reporting Program with the findings listed in the Memorandum dated July 20, 2021. The motion carried by the following vote:

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

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

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

On motion of Supervisor Simon, and by vote of the Board, moved to waive the reading of the ordinance and have it read in title only. The motion carried by the following vote:

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

On motion of Supervisor Simon, and by vote of the Board, advanced the second reading to the July 27, 2021 Board of Supervisors Meeting. The motion carried by the following vote:

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

On motion of Supervisor Simon, and by vote of the Board, and by vote of the Board, approved the parcel map. The motion carried by the following vote:

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

Enactment No: Resolution No. 2021-92

6.5 10:15 A.M. - PUBLIC HEARING - Consideration of Rezone for Richard and Beverly Siri; General Plan Amendment (GPAP 19-02) and Rezone (RZ 19-02) and Initial Study (IS 19-41)

Associate Planner Eric Porter presented the item to the Board. County Counsel Anita Grant spoke.

Chair Sabatier asked if anyone present wished to speak and the following person spoke via Zoom: Richard Siri. No one else 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 General Plan Amendment (GPAP 19-02) and Rezone (RZ 19-02) applied for by Richard and Beverly Siri on property located at 4436 Lakeshore Blvd., Lakeport further described as APN: 029-141-22 adopt the mitigated negative declaration (IS 19-41) based on the findings set forth in the memorandum dated July 20, 2021. The motion carried by the following vote:

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

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

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

On motion of Supervisor Scott, and by vote of the Board, moved to Waive the reading of the ordinance and have it read in title only. The motion carried by the following vote:

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

On motion of Supervisor Scott, and by vote of the Board, advanced the second reading to the July 27, 2021 Board of Supervisors Meeting. The motion carried by the following vote:

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

Enactment No: Resolution 2021-93

6.6 11:00 A.M. - PUBLIC HEARING - Consideration of an Ordinance Amending Article X of Chapter Two of the Lake County Code to Include Further Requirements for Exemptions from Competitive Bidding and Requirements for Bid Protests

County Administrative Officer Carol Huchingson introduced the item to the Board. Deputy County Administrative Officer Stephen Carter presented the item to the Board. Behavioral Health Director Todd Metcalf spoke.

Chair Sabatier asked if anyone present wished to speak and the following people spoke via Zoom: Betsy Cawn and Julie Colfax. No one else wished to speak and the public input portion of this item was closed.

There was Board Consensus to change the need to go out to RFP from 5 years to 3 years, Consensus to change the local vendor preference from 10% with maximum of \$10,000 to 10% with maximum of \$20,000 for public projects, and consensus to add an (A) section under 38.2(2) to add language requiring documentation of what makes the good or service unique.

On motion of Supervisor Simon, and by vote of the Board, moved to reopen the item. The motion carried by the following vote:

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

There was Board Consensus to change local vendor preference from 10% with maximum \$2,500 to 10% with maximum \$5,000.

7. Non-Timed Items

7.1 Supervisors' weekly calendar, travel and reports

7.2 (a) Consideration of County Investment Policy; and (b) Consideration of Agreement for Investment Advisory and Management Services

County Administrative Officer Carol Huchingson introduced the item to the Board. Tax Administrator Patrick Sullivan presented the item to the Board. Chandler Asset Management Carlos Oblites and Neil Murthy spoke.

Chair Sabatier 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 Agreement for Investment Advisory and Management Services. The motion carried by the following vote:

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

- 7.3** a) Consideration of Certification Resolution for an exception to the 180-day wait period to hire a CalPERS retiree as an extra help County employee; and b) Consideration of Advanced Step Hiring of Jeff Rein as an Extra-Help Employee

Public Services Director Lars Ewing presented the item to the Board. County Counsel Anita Grant spoke

Chair Sabatier 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 have a review after six months.

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

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

On motion of Supervisor Simon, and by vote of the Board, approved Advanced Step Hiring of Jeff Rein as an Extra-Help Employee. The motion carried by the following vote:

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

Enactment No: Resolution No. 2021-94

- 7.4** Consideration of Agreement Between County of Lake and Behavioral Health Services as Lead Agency of the Lake County Continuum of Care and Elijah House for Services Funded under the Emergency Solutions Grant – Coronavirus (ESG-CV) Program for Fiscal Year 2021-22 in an amount not to exceed \$450,000 and authorize the Chair to sign.

Behavioral Health Director Todd Metcalf presented the item to the Board. Justin Ammon spoke.

Chair Sabatier 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 Agreement Between County of Lake and Behavioral Health Services as Lead Agency of the Lake County Continuum of Care and Elijah House for Services Funded under the Emergency Solutions Grant – Coronavirus (ESG-CV) Program for Fiscal Year 2021-22 in an amount not to exceed \$450,000 and authorized the Chair to sign. The motion carried by the following vote:

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

- 7.5** Consideration of Agreement Between County of Lake and Behavioral Health Services as Lead Agency of the Lake County Continuum of Care and Elijah House for Transitional Housing Services for Fiscal Years 2021-25 in an amount not to exceed \$207,585 and authorize the Chair to sign.

Behavioral Health Director Todd Metcalf presented the item to the Board. Justin Ammon spoke.

Chair Sabatier 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 Agreement Between County of Lake and Behavioral Health Services as Lead Agency of the Lake County Continuum of Care and Elijah House for Transitional Housing Services for Fiscal Years 2021-25 in an amount not to exceed \$207,585 and authorized the Chair to sign. The motion carried by the following vote:

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

- 7.6** Consideration of a presentation from the Cyanobacteria Communication Work Group Multi Agency members

Health Services Director Denise Pomeroy introduced the item to the Board. Invasive Species Program Coordinator Angela DePalma-Dow, Sara Ryan, and Deputy Special Districts Administrator Scott Hornung spoke.

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

Presentation Only.

8. Closed Session

Chair Sabatier announced that the Board would now go into Closed Session at 3:38 p.m. for the reasons stated on the agenda.

- 8.1** Public Employee Evaluation:
Title: County Librarian
- 8.2** Conference with Legal Counsel: Existing litigation pursuant to Government Code section 54956.9 (d)(1): Nichols v. County of Lake, et al.
- 8.3** Conference with Labor Negotiator: (a) Chief Negotiator: M. Long; County Negotiators: C. Huchingson and P. Samac; and (b) Employee Organizations: LCDDAA, LCDSA, LCCOA, LCEA, LCSEA and LCSMA
- 8.4** Conference with Legal Counsel – Significant exposure to litigation pursuant to Government Code section 54956.9 (d)(2)(e)1) – one potential case
- 8.5** Conference with Legal Counsel – Significant exposure to litigation pursuant to Government Code section 54956.9 (d)(2) (e) (3) – Claim of McQueen

**8.6 Public Employee Appointment Pursuant to Gov. Code Section 54957(b)(1):
Appointment of Public Health Officer**

The Board came out of closed session at 5:36 p.m. having taken no action.

9. Adjournment

There being no further business the Board of Supervisors adjourned at 5:36 p.m.

CAROL J. HUCHINGSON
Clerk of the Board

Johanna DeLong
By: Johanna DeLong (Aug 31, 2021 14:11 PDT)
Johanna DeLong
Assistant Clerk of the Board

Bruno Sabatier
Bruno Sabatier (Sep 1, 2021 09:55 PDT)
Chair-Lake County Board of Supervisors

