



MENDOCINO COUNTY BOARD OF SUPERVISORS
ACTION MINUTES – January 12, 2016

MENDOCINO
COUNTY
BOARD OF
SUPERVISORS

CARRE BROWN
FIRST DISTRICT

JOHN McCOWEN
SECOND DISTRICT
VICE-CHAIR

TOM WOODHOUSE
THIRD DISTRICT

DAN GJERDE
FOURTH DISTRICT
CHAIR

DAN HAMBURG
FIFTH DISTRICT

CARMEL J. ANGELO
CHIEF EXECUTIVE
OFFICER/
CLERK OF THE BOARD

KATHARINE L. ELLIOTT
ACTING COUNTY
COUNSEL

BOARD RESOURCE
INFORMATION:

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BOARD
ACTION MINUTES
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BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO • STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)

REGULAR MEETING SPECIAL SESSION PLANNING MATTERS

AGENDA ITEM No. 1 – OPEN SESSION (ROLL CALL AND PLEDGE OF ALLEGIANCE – 9:05 A.M.)

Present: Supervisors Carre Brown, John McCowen, Tom Woodhouse, Dan Gjerde, and Dan Hamburg. Chair Gjerde presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board; Ms. Katharine L. Elliott, Acting County Counsel; and Ms. Pati Kelly, Deputy Clerk of the Board.

Pledge of Allegiance: Ms. Ruth Valenzuela.

AGENDA ITEM No. 3 – PUBLIC EXPRESSION

Presenter/s: None.

Board Action: No action taken.

AGENDA ITEM No. 4 – CONSENT CALENDAR

Presenter/s: Chair Gjerde.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that Consent Calendar items 4(a - f) are approved as follows:

- (a) Claim of Ronald Cannon - Rejected;
- (b) Claim of United Financial on behalf of Joseph Ogulin - Rejected;
- (c) December 15, 2015, Regular Board Meeting - Approved;
- (d) Approval of Recommended Appointments/Reappointments - Approved:
 - Ms. Kate Gaston, Community Representative, Health and Human Services Agency Advisory Board;
 - Ms Sue Ranochak, Public Appointee, Mendocino Council on Governments; and
 - Mr. Michael G. Carter, Alternate Public Appointee, Mendocino Council on Governments.

- (e) Adoption of Resolution Endorsing Mendocino County's Continued Participation in the North Bay/North Coast Broadband Consortium - Board of Supervisors - Adopted and Chair is authorize to sign same -

RESOLUTION 16-006

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ENDORSING MENDOCINO COUNTY'S CONTINUED MEMBERSHIP IN THE CALIFORNIA ADVANCED SERVICES FUND (CASF) NORTH BAY/NORTH COAST BROADBAND CONSORTIUM

- (f) Acceptance of Informational Report Regarding the Issuance of Emergency Coastal Development Permit No. EM 2015-0002 (Mills/Roby) to Drill a New Water Well - Planning and Building Services - Accepted.

AGENDA ITEM NO. 5E – DISCUSSION AND PRESENTATION OF SONOMA CLEAN POWER’S (SCP) COMMUNITY CHOICE AGGREGATION (CCA) PROGRAM’S NEW CUSTOMER COMMUNITY POLICY D-4 AND POSSIBLE AUTHORIZATION TO SEND A MEMBER OF THE BOARD OF SUPERVISORS TO REPRESENT THE COUNTY AT SCP’S FEBRUARY 4, 2016, BOARD MEETING - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Christopher Shaver, Deputy Chief Executive Officer, Executive Office; Mr. Geof Syphers, Chief Executive Officer, Sonoma Clean Power; and Ms. Kate Kelly, Public Affairs & Marketing Director, Sonoma Clean Power.

Public Comment: Mr. Mel Grande.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors receives the presentation of Sonoma Clean Power’s (SCP) Community Choice Aggregation Program’s New Customer Community Policy D-4; and authorizes Supervisor Hamburg, as member of the Board of Supervisors, Public Resources Committee, to represent the County at SCP’s February 4, 2016, Board meeting and to provide a report of the meeting to the Public Resources Committee.

AGENDA ITEM NO. 5C – DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF MENDOCINO COUNTY’S 2016 LEGISLATIVE PLATFORM - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Sarah Dukett, Administrative Analyst, Mendocino County Executive Office.

Public Comment: Mr. Louis Bigfoot.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Woodhouse, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts the 2016 Mendocino County Legislative Platform as presented, and directs staff to forward the adopted platform to our State and Congressional representatives and County department heads.

AGENDA ITEM NO. 6E – DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION ESTABLISHING THE HOPLAND MUNICIPAL ADVISORY COUNCIL – SPONSOR: SUPERVISOR HAMBURG

Presenter/s: Supervisor Hamburg and Mr. Steve Dunncliff, Director, Planning and Building Services.

Public Comment: Ms. Julie Golden; Mr. Dave Roderick; and Mr. Phil Dow.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts Resolution establishing the Hopland Municipal Advisory Council; and authorize Chair to sign same.

RESOLUTION NO. 16-007

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING THE HOPLAND MUNICIPAL ADVISORY COUNCIL

Board Directive: GENERAL CONCENSUS OF THE BOARD to refer to the General Government Committee the review of County policy related to the formation of municipal advisory councils.

BOARD RECESS: 10:50 A.M. - 10:59 A.M.

AGENDA ITEM NO. 5D – DISCUSSION AND POSSIBLE ACTION ON SCOPE OF WORK FOR IDENTIFYING STRATEGIES TO MITIGATE PRE-FIRE HAZARDS SUCH AS DEAD STANDING TREES; AND AUTHORIZATION FOR STAFF TO EXTEND AGREEMENT WITH FIRE SAFE COUNCIL TO MARCH 31, 2016 – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Christopher Shaver, Deputy Chief Executive Officer, Executive Office and Ms. Madeline Holtkamp, Mendocino County Fire Safe Council.

Public Comment: Mr. Louis Bigfoot and Mr. John Anderson.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors extends the contract and receives the scope of work presentation for identifying strategies to mitigate pre-fire hazards such as dead standing trees from the Fire Safe Council (FSC); and authorizes staff to extend Agreement with Fire Safe Council to March 31, 2016.

AGENDA ITEM NO. 6B – DISCUSSION AND POSSIBLE ACTION REGARDING A REPORT BY THE NORTH BAY/NORTH COAST BROADBAND CONSORTIUM/BROADBAND ALLIANCE OF MENDOCINO COUNTY ON THE SEPTEMBER 2015 TELECOMMUNICATION OUTAGE AND THE IMPACTS ON RESIDENTS OF MENDOCINO COUNTY INCLUDING TRANSMISSION OF SAID REPORT TO LEGISLATORS – SPONSOR: SUPERVISOR HAMBURG

Presenter/s: Supervisor Hamburg and Ms. Trish Steele, Chair, Broadband Alliance of Mendocino County.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors accepts the report by the North Bay/North Coast Broadband Consortium/Broadband Alliance of Mendocino County on the September, 2015 telecommunication outage and the impacts on residents of Mendocino County; and further, authorizes the posting of the report on the County's website and transmission of said report to legislators, regulators and advocacy organizations; and authorizes Chair to sign same.

AGENDA ITEM NO. 6C – DISCUSSION AND POSSIBLE APPROVAL TO FILE A MOTION WITH THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) ON BEHALF OF MENDOCINO COUNTY TO BECOME A PARTY TO A CURRENT CPUC PROCEEDING RELATED TO RECENT PUBLIC TELECOMMUNICATIONS SWITCHED NETWORK (PSTN) FAILURES – SPONSOR: SUPERVISOR HAMBURG

Presenter/s: Supervisor Hamburg.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves filing a Motion with the California Public Utilities Commission (CPUC) on behalf of Mendocino County to become a party to a current CPUC proceeding related to recent Public Telecommunications Switched Network (PSTN) failures, and authorize the Chief Executive Officer to file the Motion on behalf of the Board and sign any and all necessary documents related to the transaction.

AGENDA ITEM NO. 6D – DISCUSSION AND POSSIBLE APPROVAL OF A LETTER SPONSORED BY SENATOR MIKE MCGUIRE TO AT&T REQUESTING TO SCHEDULE A MEETING INCLUDING HUMBOLDT, LAKE, MENDOCINO, NAPA AND SONOMA COUNTIES REGARDING RECENT TELECOMMUNICATION OUTAGES IN THE NORTH COAST REGION – SPONSOR: SUPERVISOR HAMBURG

Presenter/s: Supervisor Hamburg.

Public Comment: None.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen and carried unanimously; IT IS ORDERED that the Board of Supervisors approves a letter sponsored by Senator McGuire to AT&T requesting a meeting regarding recent outages in the North Coast region; and authorizes Chair to sign same.

LUNCH RECESS: 12:23 P.M.

RECONVENED IN OPEN SESSION 1:30 P.M.

SUPERVISOR GJERDE ABSENT.

VICE-CHAIR MCCOWEN PRESIDING.

CHAIR GJERDE PRESIDING.

ADJOURNED TO CLOSED SESSION: 1:33 P.M.

AGENDA ITEM NO. 9A – PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT - BEHAVIORAL HEALTH DIRECTOR

AGENDA ITEM NO. 9B – PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: CARMEL J. ANGELO, HEATHER COFFMAN, HEIDI DUNHAM, ALAN FLORA, CHERIE JOHNSON AND DONNA WILLIAMSON; EMPLOYEE ORGANIZATION(S): ALL

AGENDA ITEM NO. 9C – PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: COUNTY OF MENDOCINO V. SOLID WASTE SYSTEMS - MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCUJ-CVG-11-59459

AGENDA ITEM NO. 9D – PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: ANIMAL LEGAL DEFENSE FUND, ET AL. V. MENDOCINO COUNTY - MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCUJ-CVPT-15-66119

AGENDA ITEM NO. 9E – PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: KATHARINE L. ELLIOTT V. CHARLES A. ORTH, ET AL. - MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCUJ-CVG-15-66767

RECONVENED IN OPEN SESSION 4:40 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter/s: Chair Gjerde.

Board Action: In respect to Agenda Items 9(c), 9(d) and 9(e): No action taken, no direction given to staff. In respect to Agenda Items 9(b): direction was given to staff.

Board Action: In respect to item 9(a), upon motion by Supervisor Brown, seconded Supervisor by McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints Ms. Jenine Miller as the Director of Behavioral Health.

AGENDA ITEM NO. 5A – CHIEF EXECUTIVE OFFICER’S REPORT

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: None.

Board Directive: GENERAL CONCENSUS OF THE BOARD to refer to the Health and Human Services Committee to review and provide recommendations to the Board of Supervisors regarding scheduling a special meeting of the Board to receive the Mendocino County's Mental Health Services report by Kemper Consulting Group.

AGENDA ITEM NO. 6A – SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST

Presenter/s: Board members and Ms. Sarah Dukett, Administrative Analyst, Mendocino County Executive Office.

Board Directive: GENERAL CONCENSES OF THE BOARD to refer to the Health and Human Services Committee the discussion and review of reports made by the California Department of Health Services regarding Behavioral Health Services in Mendocino County.

AGENDA ITEM NO. 10 – COMMUNICATIONS RECEIVED AND FILED

- (a) North Coast Opportunities Head Start Child Development Program, December 28, 2015, 2014-15 Annual Report; for more information, contact Ms. Miriam McNamara, Executive Assistant at (707) 462-3403 or www.ncoinc.org.
- (b) State of California, Fish and Game Commission, December 18, 2015, Notice of Proposed Changes; for information, contact Ms. Karen Mitchell at (916) 445-0826.
- (c) State of California, Fish and Game Commission, December 24, 2015, Notice of Proposed Changes in Regulations; for more information, contact Mr. Roger Bloom, Fisheries Branch (916) 445-3777.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:25 P.M.

Attest: Pati Kelly
Deputy Clerk of the Board

DAN GJERDE, Chair

Attest: Karla Van Hagen
Deputy Clerk of the Board

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes will be produced in “action only” format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors’ website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available through the County’s YouTube Channel. If technical assistance is needed, please contact the Executive Office at (707) 463-4441
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors’ action minutes are also posted on the County of Mendocino website at: www.co.mendocino.ca.us/bos
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: www.co.mendocino.ca.us/bos

Thank you for your interest in the proceedings of the Mendocino County Board of Supervisors