



MENDOCINO COUNTY BOARD OF SUPERVISORS  
ACTION MINUTES – JANUARY 5, 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 - 9:03 A.M.)**

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

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

**Pledge of Allegiance:** Mr. Christopher Shaver.

**AGENDA ITEM NO. 5A – ELECTION OF CHAIR AND VICE-CHAIR OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS FOR CALENDAR YEAR 2016 – SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Ms. Karla Van Hagen, Deputy Clerk of the Board.

**Board Action:** Upon motion by Supervisor Brown, seconded by Supervisor Woodhouse, and carried unanimously; IT IS ORDERED that the Board of Supervisors nominates and elects Supervisor Gjerde as Chair and Supervisor McCowen as Vice-Chair of the Mendocino County Board of Supervisors for the 2016 calendar year.

*CHAIR GJERDE PRESIDING*

**AGENDA ITEM NO. 3 – PUBLIC EXPRESSION**

**Presenter/s:** Ms. Kathryn Clark; Ms. Jacqueline Williams; Ms. Sarah Dukett, Administrative Analyst, Executive Office; and Ms. Bekkie Emery, Deputy Director, Health and Human Services Agency.

**Board Action:** No action taken.

**AGENDA ITEM NO. 4 – CONSENT CALENDAR**

**Presenter/s:** Chair Brown.

**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 – l; and k) are approved as follows:

- (a) December 8, 2015, Regular Board Meeting - Approved;

- (b) Approval of Recommended Appointments/Reappointments - Approved;  
 Paula Cohen, 4<sup>th</sup> District Representative, Health and Human Services Agency Advisory Board; and Chet Koehn, Alternate Public Member, Air Quality Management District Hearing Board; *(noting that the Board of Supervisors concurrently convened as the Air Quality Management District Board of Directors for appointment to the Air Quality Management District Hearing Board)*
- (c) Approval of the List of Personnel Authorized to Use County Vehicles for Work-to-Home/Home-to-Work Travel, Pursuant to Mendocino County Code Chapter 3.12, "The County Vehicle Policy" - Executive Office - Approved;
- (d) (BOS Agreement No. 16-001) Approval of Agreement with Interactive Resources in the Amount of \$178,380 for Design and Engineering Services to Develop Roof and HVAC Equipment Replacement Projects for the County Administration Center and the Public Health/Mental Health Buildings, Including Permit Drawings, Bidding Documents and Contract Administration for the Term of January 7, 2016, through December 31, 2016 - Executive Office - Approved and Chair is authorized to sign same;
- (e) Adoption of Resolution Designating the Chief Executive Officer (CEO) as the Official Responsible for Recommending and Facilitating the Development and Submission of the Fiscal Year (FY) 2016-17 Adopted Budget; and Review and Approval of the FY 2016-17 Budget Calendar - Executive Office - Adopted and Chair is authorized to sign same -

RESOLUTION NO. 16-001

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO DESIGNATE THE OFFICIAL(S) RESPONSIBLE FOR SUBMISSION OF THE RECOMMENDED BUDGET, AND OFFICIAL(S) RESPONSIBLE TO FACILITATE OR MONITOR THE MENDOCINO COUNTY ADOPTED BUDGET AS REQUIRED UNDER THE AMENDED UNIFORM ACCOUNTING STANDARDS AND PROCEDURES FOR COUNTIES AS PRESCRIBED BY THE STATE CONTROLLER PURSUANT TO GOVERNMENT CODE SECTIONS 29000-29144, AND 30200 OF THE COUNTY BUDGET ACT EFFECTIVE AS OF JANUARY 1, 2016

- (f) (BOS Agreement No. 16-002) Approval of Agreement with Ford Street Project in the Amount of \$69,120 to Provide Vocational Services and Living Skills to CalWORKs Participants Who are Mandated to Participate in the Welfare to Work Program in Fiscal Year 2015-16 - Health and Human Services Agency - Approved and Chair is authorized to sign same;
- (g) (BOS Agreement No. 16-003) Approval of Agreement with Delta Dental, in the Amount of \$825,000, to Provide Fully Insured Dental Coverage for County Employees and their Dependents Effective January 1, 2016 - Human Resources - Approved and Chair is authorized to sign same;
- (h) Adoption of Resolution Authorizing Changes to the Position Allocation Table as Follows: Health and Human Services Agency, Budget Unit 5010 - Move Eleven (11) Full-Time Equivalent (FTE) to Budget Unit 5020; Budget Unit 5010 - Delete One (1) FTE Employment and Training Worker III and One (1) FTE Senior Program Specialist; Budget Unit 5020 - Add One (1) FTE Secretary and One (1) FTE Senior Staff Services Analyst - Human Resources - Adopted and Chair is authorized to sign same -

RESOLUTION NO. 16-002

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING FOR THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

- (i) Adoption of Resolution Accepting the Findings and Recommendations of Traffic Study No. 15-01 and Declaring Intent to Establish a Prima Facie Speed Limit on Laytonville Dos Rios Road, CR 322, M.P. 11.22 - M.P. 12.00 (Laytonville Area) Recommended by Traffic Study No. 15-01; Direct Department of Transportation (DOT) to Prepare and Submit an Ordinance Establishing Prima Facie Speed Limit as Presented in Traffic Study 15-01; Authorize Department of Transportation (DOT) to Erect, Place and Maintain the Appropriate Traffic Control Devices - Transportation - Adopted and Chair is authorized to sign same -

RESOLUTION NO. 16-003

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ACCEPTING THE FINDINGS AND RECOMMENDATIONS OF TRAFFIC STUDY NO. 15-01 AND DECLARING INTENT TO ESTABLISH A PRIMA FACIE SPEED LIMIT ON LAYTONVILLE DOS RIOS ROAD, CR 322, M.P. 11.22 – M.P. 12.00 (LAYTONVILLE AREA)

- (k) Approval of the Air Quality Management District's Request to Enter into an Agreement for Separate Legal Representation with Attorney David Rapport for the Air Quality Management District Hearing Board, Amount of Agreement not to Exceed \$50,000 - Mendocino County Air Quality Management District - Approved.

**AGENDA ITEM NO. 4 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:**

- (j) Approval of Mendocino County Investment Policy for Calendar Year 2016 - Treasurer-Tax Collector

**Presenter/s:** Ms. Shari Schapmire, Treasurer-Tax Collector.

**Public Comment:** None.

**Board Action:** Foregoing introduced by Supervisor McCowen, seconded by Supervisor Brown, and carried (3/2, with Supervisors Woodhouse and Hamburg dissenting); IT IS ORDERED that the Board of Supervisors approves the Mendocino County Investment Policy for calendar year 2016 as submitted.

**AGENDA ITEM NO. 5B – DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION ADOPTING THE BOARD OF SUPERVISORS REVISED RULES OF PROCEDURE – SPONSOR: EXECUTIVE OFFICE**

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

**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 Resolution adopting the Board of Supervisors revised Rules of Procedure as presented; and authorizes Chair to sign same -

RESOLUTION NO. 16-004

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING THE RULES OF ORDER AND PROCEDURE

**AGENDA ITEM NO. 5C – DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION REGARDING BOARD STANDING COMMITTEES FOR 2016 – SPONSOR: EXECUTIVE OFFICE**

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

**Public Comment:** Mr. Mike A'dair.

**Board Action:** Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints standing committee members pursuant to historical practice; adopts Resolution; and authorizes Chair to sign same -

RESOLUTION NO. 16-005

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SETTING THE TIME AND PLACE FOR CONDUCTING BUSINESS OF STANDING BOARD COMMITTEES

**AGENDA ITEM NO. 3 – PUBLIC EXPRESSION (CONTINUED)**

**Presenter/s:** Mr. Ross Liberty.

**Board Action:** No action taken.

**AGENDA ITEM NO. 5D – DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF THE 2016 BOARD OF SUPERVISORS MASTER MEETING CALENDAR – SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Ms. Carmel Angelo, Chief Executive Officer; and Mr. Alan D. Flora, Assistant Chief Executive Officer.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Woodhouse, and carried (4/1, with Supervisor Brown dissenting); IT IS ORDERED that the Board of Supervisors adopts the 2016 Board of Supervisors Master Meeting Calendar, version 2 as presented, with the exception of currently identifying only February 8, 2016, as a Standing Committee meeting date, and directs the Clerk of the Board to notify County departments of same; further the Standing Committee calendar shall be presented for adoption at the February 9, 2016, Board of Supervisors meeting.

**AGENDA ITEM NO. 5E – DISCUSSION AND POSSIBLE APPROVAL OF BOARD SPECIAL ASSIGNMENTS/APPOINTMENTS AS RECOMMENDED BY THE CHAIR OF THE BOARD – SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Supervisor Brown.

**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 adopts the proposed 2016 Board of Supervisors Special Assignments/Appointments, modified to reflect Supervisor Brown as appointee to National Association of Counties, and Supervisor Woodhouse as the alternate; and Supervisor Hamburg as the appointee to the Russian River Watershed Association and Supervisor Brown as the alternate.

**AGENDA ITEM NO. 5F – DISCUSSION AND POSSIBLE ACTION REGARDING MENDOCINO COUNTY APPOINTMENTS TO THE PUBLIC POLICY FACILITATING COMMITTEE (PPFC) PURSUANT TO THE MEMORANDUM OF UNDERSTANDING AMONG THE UNITED STATES ARMY CORPS OF ENGINEERS (USACE), NATIONAL MARINE FISHERIES SERVICE (NMFS), AND THE SONOMA COUNTY WATER AGENCY (SCWA) – SPONSOR: EXECUTIVE OFFICE**

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

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Woodhouse, and carried unanimously; IT IS ORDERED that the Board of Supervisors affirms the existing appointments of Supervisor Carre Brown and Mr. Sean White, and further appoints Mr. Al White as Mendocino County's third representative to the Public Policy Facilitating Committee (PPFC); pursuant to the Memorandum of Understanding among the United States Army Corps of Engineers (USACE), National Marine Fisheries Service (NMFS), and the Sonoma County Water Agency (SCWA).

**AGENDA ITEM NO. 5G – INTRODUCTION AND WAIVE READING OF ORDINANCE AMENDING MENDOCINO COUNTY CODE SECTION 3.12 - "THE COUNTY VEHICLE POLICY" – SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Mr. Christopher Shaver, Deputy Chief Executive Officer.

**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 introduces and waives the reading of Ordinance amending Mendocino County Code Section 3.12 - "The County Vehicle Policy" and authorizes staff to present the Ordinance for adoption subsequent to proper notice.

**AGENDA ITEM NO. 5J – INTRODUCTION AND WAIVE READING OF ORDINANCE DELEGATING AUTHORITY TO INVEST OR REINVEST THE FUNDS OF THE COUNTY AND ITS OTHER DEPOSITORS IN THE COUNTY TREASURY TO THE TREASURER FOR CALENDAR YEAR 2016 – SPONSOR: TREASURER - TAX COLLECTOR**

**Presenter/s:** Ms. Shari Schapmire, Treasurer-Tax Collector.

**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 introduces and waives reading of Ordinance delegating authority to invest or reinvest the funds of the County and its other depositors in the County Treasury to the Treasurer for Calendar Year 2016.

**AGENDA ITEM NO. 5H – INFORMATIONAL UPDATE ON THE STATUS OF THE MENDOCINO TOWN LOCAL COASTAL PLAN AMENDMENT (LCPA) AND POSSIBLE DIRECTION OR CONSIDERATION OF COASTAL COMMISSION COMMENTS REGARDING THE SUBMITTED MENDOCINO TOWN LCPA – SPONSOR: PLANNING AND BUILDING SERVICES**

**Presenter/s:** Mr. Andy Gustavson, Chief Planner, Planning and Building Services.

**Public Comment:** None.

**Board Action:** No action taken.

**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.

**Board Directive:** GENERAL CONSENSUS OF THE BOARD that the status of the Animal Shelter be the first order of business for the Health and Human Services Agency Standing Committee.

*ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 10:59 A.M.*

**AGENDA ITEM NO. 9A – PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: KEEP THE CODE, INC. V. COUNTY OF MENDOCINO - MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCUJ-CVPT-14-64207**

*RECONVENED IN OPEN SESSION: 1:33 P.M.*

**AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION**

**Presenter:** Chair Gjerde.

**Board Action:** In respect to item 9a, direction was given to staff.

**AGENDA ITEM NO. 5I – DISCUSSION AND POSSIBLE FORMATION OF AN AD-HOC COMMITTEE ON LARGER RATE ADJUSTMENT REQUEST OF SOLID WASTES OF WILLITS INC. – SPONSOR: SOLID WASTE**

**Presenter/s:** Mr. Mike Sweeney, Director, Solid Waste.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors appoints an ad-hoc committee consisting of Supervisor Hamburg and Supervisor Woodhouse to work with staff on Solid Wastes of Willits, Inc., larger rate adjustment request.

*ADJOURNED TO CLOSED SESSION 1:45 P.M.*

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

*RECONVENED IN OPEN SESSION: 2:34 P.M.*

**AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION**

**Presenter:** Chair Gjerde.

**Board Action:** In respect to items 9b and 9c, direction was given to staff.

**AGENDA ITEM NO. 10 – COMMUNICATIONS RECEIVED AND FILED**

- (a) State Water Resources Control Board, December 15, 2015, Notice of Available Water to Divert for Holders of Permits and Licenses with Standard Term 91; for more information, contact [lyris@swrcb18.waterboards.ca.gov](mailto:lyris@swrcb18.waterboards.ca.gov).
- (b) State Water Resources Control Board, December 10, 2015, Notice of Available Water to Divert for Junior Priority Class Rights Specified in the Scott River Decree in the Scott River Watershed; for more information, contact [lyris@swrcb18.waterboards.ca.gov](mailto:lyris@swrcb18.waterboards.ca.gov).
- (c) Federal Energy Regulatory Commission, Order Granting Extension of Time, December 7, 2015.

- (d) State of California, Fish and Game Commission, December 11, 2015, Notice of Proposal for a 90 Day Extension of Emergency Action; for more information, contact Reference Attorney, Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814 or [staff@aol.ca.gov](mailto:staff@aol.ca.gov) or fax (916) 323-6826.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 2:36 P.M.

Attest: Karla Van Hagen  
Deputy Clerk of the Board

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DAN GJERDE, Chair

**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 at <http://www.co.mendocino.ca.us/bos/meetings/PublishedMeetings.htm> under the Live Video tab, or you can visit 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](http://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](http://www.co.mendocino.ca.us/bos)

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