



**MENDOCINO COUNTY BOARD OF SUPERVISORS  
ACTION MINUTES – FEBRUARY 2, 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:**

**OFFICE: (707) 463-4221  
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BOS@CO.MENDOCINO.CA.US**

**WEBSITE:  
WWW.CO.MENDOCINO.CA.US/BOS**

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**BOARD  
ACTION MINUTES  
(SEE LAST PAGE  
FOR MORE INFORMATION)**

**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. 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. Karla Van Hagen, Deputy Clerk of the Board.

**Pledge of Allegiance:** Ms. Nicole French, Acting Senior Deputy Clerk of the Board.

**AGENDA ITEM NO. 2A – ADOPTION OF PROCLAMATION RECOGNIZING THE MONTH OF FEBRUARY, 2016 AS SPAY AND NEUTER MONTH IN MENDOCINO COUNTY - SPONSOR: SUPERVISORS BROWN AND MCCOWEN**

**Presenter/s:** Supervisor Brown.

**Public Comment:** Ms. Judy Williams and Mr. David Jensen.

**Board Action:** Approved without objection.

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

**Presenter/s:** Ms. Susan Schindler; Dr. Constance Caldwell, Public Health Officer; and Ms. Leslie Jo Feldman.

**Board Action:** No action taken.

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

**Presenter/s:** Chair Gjerde.

**Board Directive:** Consent Calendar item 4(e) removed for separate consideration.

**Public Comment:** Ms. Tina Wallace.

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

- (a) Claim of Lyra Jubb - Rejected;
- (b) Claim of Dean Giese - Rejected;
- (c) January 5, 2016, Regular Meeting - Approved;
- (d) Approval of Recommended Appointments/Reappointments - Approved;
  - Lois Lockart, Alternate, Archaeological Commission of Mendocino County, noting that appointment of Lois Lockart includes waiver of Board policy regarding the professional training requirement for the Alternate Member Position to the Mendocino County Archaeological Commission (Section 22.12.040(6));
  - Allison Scott, Native American Representative, Archaeological Commission of Mendocino County;
  - Curtis Tyler, Industry Representative, Archaeological Commission of Mendocino County;
  - Kathy Brigham, 5th District Representative, Community Development Commission;
  - Terry Guerrero, 3rd District Representative, Fish and Game Commission;
  - Randall Vann, Member at Large (Inland), Fish and Game Commission;
  - David Wright, 4th District Representative, Fish and Game Commission; and
  - Patricia Hickey, Mendocino Representative, North Coast Resource Partnership Technical Review.
- (f) Adoption of Ordinance Amending Mendocino County Code Section 3.12 - The County Vehicle Policy - Executive Office - Adopted and Chair is authorized to sign same -

ORDINANCE NO. 4349

ORDINANCE AMENDING CHAPTER 3.12 OF TITLE 3 REGARDING THE COUNTY VEHICLE POLICY

- (g) Adoption of Retirement Association Rates for Fiscal Year 2016-17 - Mendocino County Employees' Retirement Association - Adopted;
- (h) Acceptance of the December 31, 2015, Report of Mendocino County Pooled Investments - Treasurer - Tax Collector - Approved;
- (i) Adoption 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 - Treasurer-Tax Collector - Adopted and Chair is authorized to sign same -

ORDINANCE NO. 4350

AMENDMENT OF MENDOCINO COUNTY CODE SECTION 5.130.010 DELEGATING AUTHORITY TO INVEST TO COUNTY TREASURER FOR CALENDAR YEAR 2016

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

Adoption of Resolution Rescinding Resolution No. 14-068 Which Made a Vested Rights Determination and Approved an Amended Reclamation Plan for the Harris Quarry

**Presenter/s:** Supervisor Gjerde.

**Public Comment:** Ms. Tina Wallace.

**Board Action:** Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors continues this item to the February 9, 2016, Board of Supervisors meeting.

**AGENDA ITEM NO. 5E – PRESENTATION AND POSSIBLE DIRECTION TO STAFF REGARDING THE COUNTY'S CAPITAL IMPROVEMENT PLAN AND FACILITY NEEDS ASSESSMENT – SPONSOR: EXECUTIVE OFFICE**

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

**Public Comment:** Mr. John Sakowicz.

**Board Action:** No action taken.

**AGENDA ITEM NO. 5F – 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. 5B – DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM – SPONSOR: EXECUTIVE OFFICE**

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

**Public Comment:** None.

**Board Action:** No action taken.

*ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 10:29 A.M.*

**AGENDA ITEM NO. 9A – 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. 9B – PURSUANT TO GOVERNMENT CODE SECTION 54956.9D(2) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – ONE CASE**

*RECONVENED IN OPEN SESSION: 1:32 P.M.*

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

**Presenter:** Chair Gjerde.

**Board Action:** In respect to item 9(b), direction was given to staff.

**AGENDA ITEM NO. 5D – DISCUSSION AND POSSIBLE AUTHORIZATION FOR THE EMERGENCY SERVICES DIRECTOR TO SUBMIT A LETTER AND ANY NECESSARY DOCUMENTATION TO THE CALIFORNIA OFFICE OF EMERGENCY SERVICES REQUESTING THE COUNTY OF MENDOCINO BE INCLUDED IN THE POSSIBLE U.S. SMALL BUSINESS ADMINISTRATION DECLARATION REGARDING IMPACTS RELATED TO THE ECONOMIC INJURY FROM THE DUNGNESS CRAB SEASON SUSPENSION – SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Ms. Tami Bartolomei, Program Manager, Office of Emergency Services.

**Public Comment:** Mr. Tom Lemmons and Ms. Jan Arnel.

**Board Action:** Upon motion by Supervisor Brown, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors authorizes the Emergency Services Director to submit a letter and any necessary documentation to the California Office of Emergency Services requesting the County of Mendocino shall be included in the possible U.S. Small Business Administration Declaration.

**AGENDA ITEM NO. 5G – INTRODUCTION AND WAIVE READING OF ORDINANCE AMENDING SECTION 15.04.030(B) OF THE MENDOCINO COUNTY CODE - SPEED ZONING ON COUNTY ROADS, ADDING PARAGRAPH 15.04.030(B)(39), ESTABLISHING A TWENTY-FIVE MILE PER HOUR (MPH) PRIMA FACIE SPEED LIMIT ON LAYTONVILLE DOS RIOS ROAD, CR 322, FROM MP 11.22 TO MP 12.00 (DOS RIOS AREA) – SPONSOR: TRANSPORTATION**

**Presenter/s:** Supervisor Gjerde.

**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 introduces and waives reading of Ordinance amending section 15.04.030(B) of the Mendocino County Code - Speed Zoning on County Roads, adding paragraph 15.04.030(B)(39), establishing a twenty-five MPH prima facie speed limit on Laytonville Dos Rios Road, CR 322, from MP 11.22 to MP 12.00 (Dos Rios area).

**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.

**Public Comment:** None.

GENERAL CONSENSUS OF THE BOARD that information regarding County employee pay stubs, including compilation of cost to revise employee's stubs to include retirement contributions; and what options are available to address retirement contributions on paystubs shall be referred to the General Government Standing Committee.

GENERAL CONSENSUS OF THE BOARD that discussion regarding Ranch for Wildlife Program and regulations regarding elk hunting shall be referred to the Public Resources Committee (or whichever Standing Committee is determined to be most appropriate).

GENERAL CONSENSUS OF THE BOARD that the issue of tele-psychiatry at Long Valley Health Clinic shall be referred to the Health and Human Services Standing Committee.

GENERAL CONSENSUS OF THE BOARD that staff provide an estimate of hours and time required to review the history of employee pension related Board actions to ensure all steps were taken that were legally required.

**AGENDA ITEM NO. 5C – DISCUSSION AND POSSIBLE DIRECTION TO STAFF RESULTING FROM A PRESENTATION BY AT&T REPRESENTATIVES REGARDING AT&T'S DECEMBER, 2015 ANNOUNCEMENT OF A NETWORK UPGRADE IN THE NORTH COAST – SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Ms. Rhunette Alums, Area Director for External Affairs, Northern Area, AT&T; and Mr. Marc Blakeman, Vice President for External Affairs; AT&T.

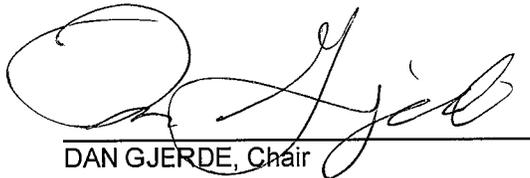
**Public Comment:** Mr. Phil Specer; Ms. Tami Bartolomei, Program Manager, Office of Emergency Services; Mr. Sage Statham; Mr. Greg Glavich, Communications Coordinator, Information Services; Ms. Trish Steele; Ms. Regina Costa; Ms. Susan Knopf; and Mr. Alan Spivak.

**Board Action:** No action taken.

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

- (a) Fish and Game Commission, December 22, 2015, Notice of Proposed Regulatory Action; for more information, contact Mr. Barry Miller, Environmental Scientist, Marine Region at (707) 576-2860 or Barry.Miller@wildlife.ca.gov.
- (b) Fish and Game Commission, December 24, 2015, Notice of Proposed Regulatory Action; for more information, contact Mr. Roger Bloom, Fisheries Branch at (916) 445-3777.
- (c) Fish and Game Commission, December 22, 2015, Notice of Proposed Regulatory Action; for more information, contact Ms. Melanie Parker, Environmental Scientist, Marine Region at (831) 649-2814 or Melanie.Parker@wildlife.ca.gov.
- (d) Fish and Game Commission, January 4, 2016, Notice of Findings regarding the Tricolored Blackbird; for more information, contact Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814 or (916) 653-4899.
- (e) Fish and Game Commission, January 8, 2016, Notice of Proposed Regulatory Action; for more information, contact Mr. Craig Stowers, Wildlife Branch at (916) 415-3553.
- (f) Cal OES, December 30, 2015, Department of Agriculture (USDA) Designation USDA #S3943 - Drought; for more information: contact Ms. Karma Hackney, Individual Assistance Officer at (916) 845-8149.
- (g) Fish and Game Commission, January 5, 2016, Notice to All Interested and Affected Parties re its February 11, 2016, meeting, for determining which options to include in its notice of proposed changes to the Klamath River Basin sport fishing regulations for 2016; for more information, contact Fish and Game Commission at 1416 Ninth Street, Room 1320, Sacramento, CA 95814 or FGC@fgc.ca.gov.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 3:08 P.M.



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 via the County’s YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 3463-4441.
- 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*