



MENDOCINO COUNTY BOARD OF SUPERVISORS
ACTION MINUTES – MAY 3, 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
 COUNTY COUNSEL

BOARD RESOURCE
 INFORMATION:

OFFICE: (707) 463-4221
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 WWW.CO.MENDOCINO.CA.US/BOS

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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 – 9:06 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, County Counsel; and Ms. Karla Van Hagen, Deputy Clerk of the Board.

Pledge of Allegiance: Ms. Bekkie Emery.

AGENDA ITEM NO. 2A – ADOPTION OF PROCLAMATION RECOGNIZING MAY 6-12, 2016, AS NATIONAL NURSES WEEK IN MENDOCINO COUNTY – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Supervisor Brown.

Public Comment: Ms. Ruth Lincoln, Public Health Nursing Director, Health and Human Services Agency.

Board Action: Approved without objection.

AGENDA ITEM NO. 2B – ADOPTION OF PROCLAMATION RECOGNIZING APRIL 10-16, 2016, AS CRIME VICTIMS' RIGHTS WEEK IN MENDOCINO COUNTY – SPONSOR: DISTRICT ATTORNEY

Presenter/s: Supervisor Woodhouse.

Public Comment: None.

Board Action: Approved without objection.

AGENDA ITEM NO. 2C – ADOPTION OF PROCLAMATION RECOGNIZING MAY 2016, AS OLDER AMERICANS MONTH IN MENDOCINO COUNTY – SPONSORS: SUPERVISORS BROWN, HAMBURG AND HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Supervisor Hamburg.

Public Comment: Ms. Bekkie Emery, Deputy Director; Health and Human Services Agency.

Board Action: Approved without objection.

AGENDA ITEM NO. 2E – ADOPTION OF PROCLAMATION RECOGNIZING MAY 2016, AS CHILD CARE PROVIDERS APPRECIATION MONTH IN MENDOCINO COUNTY – SPONSORS: SUPERVISORS BROWN AND MCCOWEN

Presenter/s: Supervisor Brown.

Public Comment: Ms. Denise Gorney and Ms. Teri Sedrick.

Board Action: Approved without objection.

AGENDA ITEM NO. 2F – ADOPTION OF PROCLAMATION RECOGNIZING MAY 2016, AS LYME DISEASE AWARENESS MONTH IN MENDOCINO COUNTY – SPONSORS: SUPERVISORS BROWN AND MCCOWEN

Presenter/s: Supervisor McCowen.

Public Comment: Ms. Phyllis Mervine and Ms. Chia Rodriguez.

Board Action: Approved without objection.

AGENDA ITEM NO. 2G – ADOPTION OF PROCLAMATION RECOGNIZING KREIG ALEXANDER WEBB IN ACHIEVING THE RANK OF EAGLE SCOUT IN THE BOY SCOUTS OF AMERICA, TROUP 316 IN MENDOCINO COUNTY – SPONSORS: SUPERVISORS MCCOWEN AND BROWN

Presenter/s: Supervisor McCowen.

Public Comment: None.

Board Action: Approved without objection.

AGENDA ITEM NO. 2H – ADOPTION OF PROCLAMATION RECOGNIZING MAY 2016, AS CALFRESH AWARENESS MONTH IN MENDOCINO COUNTY – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Chair Gjerde.

Public Comment: Ms. Bekkie Emery, Deputy Director, Health and Human Services Agency.

Board Action: Approved without objection.

AGENDA ITEM NO. 2D – ADOPTION OF PROCLAMATION RECOGNIZING MAY 2016, AS MENTAL HEALTH MONTH IN MENDOCINO COUNTY – SPONSORS: SUPERVISORS MCCOWEN, HAMBURG AND HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Supervisor Hamburg.

Public Comment: None.

Board Action: Approved without objection.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Montana Podva.

Board Action: No action taken.

AGENDA ITEM NO. 4 – CONSENT CALENDAR

Presenter/s: Chair Gjerde.

Board Directive: Consent Calendar items 4(f) and 4(m) removed for separate consideration.

Public Comment: Ms. Heidi Dunham; Director, Human Resources.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that Consent Calendar items 4(a – e); (h-l) and (n) are approved/rejected as follows:

- (a) Claim of Joel Harrison – Rejected;
- (b) Approval of Recommended Appointments/Reappointments:
 - 1) Gregory Nelson, Mendocino County Planning Commission, At-Large - Agricultural Representative;
 - 2) David Riemenschneider, Policy Council on Children and Youth, Member # 8 - Presiding Judge of the County's Juvenile Court;
 - 3) Josie Loomis, Policy Council on Children and Youth, Member #21 - Representative of an Indian Child Welfare Act Agency (Appointment of Ms. Loomis includes a waiver of residency as Ms. Loomis is a resident of Lake County); and
 - 4) David Koball, Mendocino County Resource Conservation District, Long Term Director – Approved;
- (c) Adoption of Resolution Requesting Permission from California Highway Patrol (CHP) for the "Covelo Future Farmers of America (FFA) Field Day Parade" to be Held in Covelo, California, on Saturday, May 7, 2016, on State Route 162 – Supervisor Woodhouse – Adopted and Chair is authorized to sign same –

RESOLUTION NO. 16-053

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REQUESTING PERMISSION FROM CALIFORNIA HIGHWAY PATROL (CHP) FOR THE "COVELO FUTURE FARMERS OF AMERICA FIELD DAY PARADE" TO BE HELD IN COVELO, CALIFORNIA, ON SATURDAY, MAY 7, 2016, ON STATE ROUTE 162

- (d) Adoption of Proclamation Recognizing May 2016, as National Bike Month, and May 20, 2016, as Bike to Work Day in Mendocino County – Supervisor Gjerde - Approved and Chair is authorized to sign same;
- (e) (BOS Agreement No. 16-018) Approval of Rental Agreement between the Mendocino County Fair and Apple Show ("Association") and Sierra Nevada World Music Festival ("Renter") – Approved and Chair is authorized to sign same;
- (g) ~~Approval of Letter to Governor Brown Requesting Additional Funding From the State of California for Elections – Executive Office – Withdrawn at Request of Department;~~
- (h) Approval of Agreement with Partnership HealthPlan of California to Accept the Opioid Safety Coalition Grant in the Amount of \$60,000 for Fiscal Years 2015-16 through 2016-17 – Approved and HHSA Director is authorized to sign same;

- (i) Adoption of Resolution Authorizing the Adoption of Chief Operations Officer within the Health and Human Services Agency (HHSA), and Amending the Position Allocation Table as Follows: HHSA, Budget Unit 5020 Add One (1) Chief Operations Officer; Delete One (1) Assistant HHSA Director – Human Resources – Adopted and Chair is authorized to sign same;

RESOLUTION NO. 16-054

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

- (j) (BOS Agreement No.16-019) Adoption of Resolution Approving Department of Transportation (DOT) Agreement No. 160046, Professional Services Agreement with SWT Engineering, Inc., in the Amount of \$96,461, to Perform Modification and Update of the Existing Final Closure Design for the South Coast Landfill (Gualala Area) – Transportation – Adopted and Chair is authorized to sign same –

RESOLUTION NO. 16-055

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO APPROVE DEPARTMENT OF TRANSPORTATION (DOT) AGREEMENT NO. 160046, PROFESSIONAL SERVICES AGREEMENT WITH SWT ENGINEERING, INC., IN THE AMOUNT OF \$96,461, TO PERFORM MODIFICATION AND UPDATE OF THE EXISTING FINAL CLOSURE DESIGN FOR THE SOUTH COAST LANDFILL (GUALALA AREA)

- (k) (BOS Agreement 02-269 A10) Adoption of Resolution Approving Amendment No. 10 to Agreement No. 02-269/Department of Transportation (DOT) Agreement No. 990106 (Rev 1), to Increase Construction Support Services with Quincy Engineering, Inc., by \$33,000 for the School Way Bridge Replacement over the Russian River at School Way, CR 236 (Redwood Valley Area) - Transportation – Adopted and Chair is authorized to sign same -

RESOLUTION NO. 16-056

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NO. 10 TO BOARD OF SUPERVISORS (BOS) AGREEMENT NO. 02-269/DEPARTMENT OF TRANSPORTATION (DOT) AGREEMENT NO. 990106 (REV 1) TO INCREASE CONSTRUCTION SUPPORT SERVICES WITH QUINCY ENGINEERING, INC. BY \$33,000 FOR THE SCHOOL WAY BRIDGE REPLACEMENT OVER THE RUSSIAN RIVER AT SCHOOL WAY, CR 236 (REDWOOD VALLEY AREA)

- (l) Approval of Temporary Road Closure of a Portion of Ukiah Street (CR 407C) from Lansing Street (CR 500) to Howard Street (CR 407N) for the Mendocino Halloween Celebration, Sponsored by the Mendocino Center for Circus Arts on October 31, 2016, from 2 PM to 11 PM (Village of Mendocino) – Transportation – Approved.

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

- 4(f) Denial of Claim from Mendocino Redwood Company, LLC for a Refund of Property Taxes – County Counsel

Presenter/s: Supervisor McCowen and Ms. Katharine L. Elliott, County Counsel.

Public Comment: Mr. Steven Johnson and Mr. Montana Podva.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors denies claim from Mendocino Redwood Company, LLC for a refund of property taxes.

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

4(m) Acceptance of the March 31, 2016, Report of Mendocino County Pooled Investments – Treasurer – Tax Collector

Presenter/s: Supervisor Hamburg.

Public Comment: None.

Board Action: Foregoing introduced by Supervisor McCowen, seconded by Supervisor Brown, and carried (4/1, with Supervisor Hamburg dissenting) IT IS ORDERED that the Board of Supervisors accepts the March 31, 2016, report of Mendocino County Pooled Investments.

AGENDA ITEM NO. 5C – DISCUSSION AND POSSIBLE ACTION REGARDING THE STATUS OF ADULT MENTAL HEALTH SERVICES TRANSITION AND RELATED ACTIVITIES AND THE KEMPER CONSULTING GROUP MENTAL HEALTH SERVICES REVIEW – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Jenine Miller, Behavioral Health Director, Health and Human Services Agency; and Ms. Karen Lovato; Acting Program Manager, Behavior Health.

Public Comment: Ms. Nancy Sutherland.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Behavioral Health staff bring forward a presentation on the Mental Health Services Act Housing Funds Feedback Survey to the Board for recommendations based on the survey results.

Board Action: No action taken.

AGENDA ITEM NO. 6B – DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION ESTABLISHING THE REDWOOD VALLEY MUNICIPAL ADVISORY COUNCIL AND AUTHORIZING ANNUAL OPERATIONAL FUNDING OF \$2,500 – SPONSOR: SUPERVISOR BROWN

Presenter/s: Supervisor Brown.

Public Comment: Mr. Montana Podva; Ms. Sheilah Rodgers; Ms. Christine Boyd; and Ms. Mary Beth Kelly.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts amended Resolution (*illustrated below*) establishing the Redwood Valley Municipal Advisory Council and authorizing annual operational funding of \$2,500; and authorizes Chair to sign same.

[Amendment: Add the words “*or entity*” after the term, “or any other organization” Add the words “*or any other matter of interest to the MAC*” at the conclusion of the Resolution.]

RESOLUTION NO. 16-057

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING THE REDWOOD VALLEY MUNICIPAL ADVISORY COUNCIL

BOARD RECESS: 10:40 A.M. – 10:53 A.M.

AGENDA ITEM NO. 5D – DISCUSSION AND POSSIBLE ACCEPTANCE OF INFORMATIONAL PRESENTATION ON THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Steve Dunncliff, Director, Planning and Building Services; Mr. Jon Moore, Administrative Services Manager, Planning and Building Services; and Ms. Jessica Byers, Analyst, Planning and Building Services.

Public Comment: Mr. John Sakowicz.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Planning and Building staff shall bring forward a presentation to the Board regarding priorities for CDBG funding.

Board Action: No action taken.

AGENDA ITEM NO. 5E – 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, Senior Planner, Planning and Building Services.

Public Comment: None.

Board Action: No action taken.

ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 11:47 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 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - FRIENDS OF OUTLET CREEK V. COUNTY OF MENDOCINO, ET AL. COURT OF APPEAL CASE NO. A147499

AGENDA ITEM NO. 9C – PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - LESLIE AND RICHARD BERGER V. COUNTY OF MENDOCINO, ET AL. CASE NO. SCTM-CVPO-14-63575

RECONVENED IN OPEN SESSION: 1:34 P.M.

SUPERVISOR MCCOWEN ABSENT

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Ms. Katharine L. Elliott, County Counsel.

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

SUPERVISOR MCCOWEN PRESENT

AGENDA ITEM NO. 6C – DISCUSSION AND POSSIBLE DIRECTION REGARDING FIRE-EMS FUNDING IN MENDOCINO COUNTY – SPONSORS: SUPERVISORS GJERDE, HAMBURG AND FIRE-EMS AD HOC COMMITTEE

Presenter/s: Supervisor Hamburg; Supervisor Gjerde; Supervisor McCowen; Mr. Alan D. Flora, Assistant Chief Executive Officer; and Mr. Lloyd Weer, Auditor-Controller.

Public Comment: Mr. David Roderick; Mr. Michael Schaeffer; Mr. Tony Orth; Mr. Larry Tunzi; Mr. Ben McMillan; and Mr. Steve Orsi.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors endorses this item in concept, with the allocation formula to be determined.

Board Directive: BY ORDER OF THE CHAIR the Fire-EMS Ad Hoc Committee shall revise Letter of Support from the Board consistent with today's action and distribute accordingly. This item is referred back to the Fire-EMS Ad Hoc Committee.

BOARD RECESS: 3:22 P.M. – 3: 27 P.M.

AGENDA ITEM NO. 6D – DISCUSSION AND DIRECTION REGARDING UPDATE FROM STAFF AND RECOMMENDATIONS FROM HEALTH AND HUMAN SERVICES (HHS) STANDING COMMITTEE REGARDING ANIMAL CARE SERVICES OPERATIONS AND MANAGEMENT – SPONSOR: HEALTH AND HUMAN SERVICES STANDING COMMITTEE

Presenter/s: Supervisor McCowen; Ms. Mary Jane Montana; Interim Shelter Manager, Animal Care Services; Mr. Alan D. Flora, Assistant Chief Executive Officer; and Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: Ms. Stephanie Chen-Welch; Ms. Rebecca Edwards; Ms. Anne Montgomery; Ms. Elizabeth Curulla; Ms. Sam McManus; Ms. Charlene Zanella; Mr. Shawn Gatt; Ms. Bliss Seiferd; Ms. Angela Tompkins; Ms. Mary Beth Kelly; Ms. Kelly Boesel; Ms. Monika Fuchs; Ms. Hailey Pallis; Ms. Linda Pallis; Ms. Julie Schneider; Ms. Shanna Phillips; Ms. Linda Montanos; and Mr. Mark Montanos.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Clerk of the Board staff shall forward all correspondence related to the Animal Shelter to the Shelter Manager.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Shelter staff shall prepare a report to the Board regarding costs and status of proposed upgrades to Animal Care facility.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the Interim Animal Shelter Manager shall investigate legal options/timeline for the handling of animals placed on an initial "hold" status.

CHANGE IN CLERK TO MS. NICOLE FRENCH - 5:21 P.M.

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.

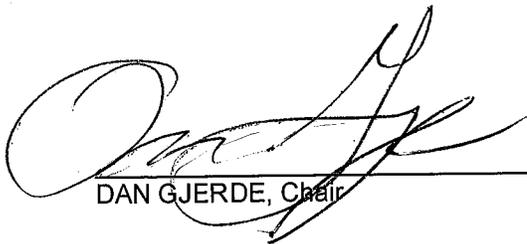
Board Action: No action taken.

AGENDA ITEM NO. 10 – COMMUNICATIONS RECEIVED AND FILED

- (a) California Fish and Game Commission, Notice of Proposed Changes in Regulations Re: California Spiny Lobster Fishery Management Plan Implementing Regulations. For more information, contact Michael Yaun, Acting Executive Director, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2290 or (916) 653-4899.

- (b) California Fish and Game Commission, March 28, 2016, 15 Day Notice of California Notice Register 2016, No. 9-Z, Z-2016 - 0216 - 12 Re: Fishing Activity Records and CPFV Logbooks. For more information, contact Katie Perry, Department of Fish and Wildlife at (916) 445-6456 or <http://www.fgc.ca.gov/regulations/2016/index.aspx#190>.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:34 P.M.

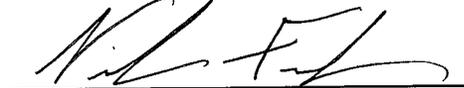


DAN GJERDE, Chair

Attest: KARLA VAN HAGEN
Deputy Clerk of the Board



Attest: NICOLE FRENCH
Sr. 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) 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