

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Chair

**GEORGEANNE
CROSKEY**
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

DAN HAMBURG
5th District
Supervisor
Vice-Chair



CARMEL J. ANGELO
Chief Executive Officer/
Clerk of the Board

KATHARINE L. ELLIOTT
County Counsel

COUNTY ADMINISTRATION CENTER
501 Low Gap Road, Room 1070
Ukiah, CA 95482
(707) 463-4441 (t)
(707) 463-5649 (f)
cob@mendocinocounty.org

MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –October 24, 2017

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

AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:02 A.M.)

Present: Chair John McCowen, Supervisor Georgeanne Croskey, Supervisor Dan Gjerde, and Supervisor Dan Hamburg. Chair McCowen presiding. Supervisor Carre Brown absent by prearrangement.

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

The Pledge of Allegiance was led by: Mr. David Eyster.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Michael Hunter; and Mr. Thomas Allman, Sheriff.

ADJOURNED TO CLOSED SESSION: 9:06 A.M.

**9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL –
EXISTING LITIGATION: AMANDA CARLEY V. MENDOCINO COUNTY, ET AL.- SCUk CVG 2017 69021**

RECONVENED IN OPEN SESSION: 9:38 A.M.

AGENDA ITEM 9– REPORT OUT OF CLOSED SESSION

Presenter: Chair McCowen.

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

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair McCowen.

Public Comment: None.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Croskey, IT IS ORDERED that consent item 4(a) is approved as follows. The motion carried by the following vote:

Aye: 4 - Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 – None

Absent: 1 – Supervisor Brown

4A) APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF MENDOCINO, REDWOOD VALLEY - CALPELLA FIRE PROTECTION DISTRICT AND THE COYOTE VALLEY BAND OF POMO INDIANS CONCERNING MITIGATION FOR OFF RESERVATION IMPACTS RESULTING FROM THE TRIBE'S CASINO EXPANSION AND HOTEL PROJECT AMENDED AND RESTATED AS THE INTERGOVERNMENTAL AGREEMENT CONCERNING THE MITIGATION OF ALL OFF RESERVATION IMPACTS DIRECTLY RELATED TO THE OPERATION OF CLASS III GAMING ACTIVITIES BY AND AMONG THE COUNTY OF MENDOCINO AND THE REDWOOD VALLEY - CALPELLA FIRE DISTRICT AND THE COYOTE VALLEY BAND OF POMO INDIANS - SPONSOR: SUPERVISOR MCCOWEN

Approved.

Enactment No: Agreement 17-135

5A) DISCUSSION AND POSSIBLE ADOPTION OF A RESOLUTION APPROVING SIDELETTERS OF AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND EACH OF THE MENDOCINO COUNTY BARGAINING UNITS FOR THE TERM OF OCTOBER 8, 2017 THROUGH JUNE 30, 2018, WHICH ALLOWS EMERGENCY LEAVE DONATIONS TO THE CATASTROPHIC LEAVE BANK AND EMERGENCY VACATION CASH OUT TO EMPLOYEES WHO ARE VICTIMS OF THE REDWOOD COMPLEX FIRE, AND TO TEMPORARILY INCREASE THE FLEXIBLE TIME OFF ACCRUAL LIMIT FOR EXEMPT EMPLOYEES WHO ARE PROVIDING MUTUAL AID AS A RESULT OF THE REDWOOD COMPLEX FIRE, SUBJECT TO AGREEMENT FROM THE BARGAINING UNITS - SPONSOR: EXECUTIVE OFFICE AND HUMAN RESOURCES

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; and Ms. Heidi Dunham, Director, Human Resources.

Public Comment: None.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors adopts Resolution approving Sideletters of Agreement between the County of Mendocino and each of the Mendocino County bargaining units for the term of October 8, 2017 through June 30, 2018, which allows emergency leave donations to the Catastrophic Leave Bank and emergency vacation cash out to employees who are victims of the Redwood Complex Fire, and to temporarily increase the flexible time off accrual limit for exempt employees who are providing mutual aid as a result of the Redwood Complex Fire, subject to agreement from the Bargaining Units; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 - Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 – None

Absent: 1 – Supervisor Brown

Enactment No: Resolution 17-152

RESOLUTION 17-152

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE REDWOOD COMPLEX FIRE SIDELETTER OF AGREEMENT

5B) DISCUSSION AND POSSIBLE ACTION TO AMEND THE BOARD OF SUPERVISORS MASTER MEETING SCHEDULE ADDING A POTENTIAL REGULAR MEETING ON OCTOBER 31, 2017 AND/OR OTHER DATES AS DIRECTED BY THE BOARD - SPONSOR: EXECUTIVE OFFICE

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

Public Comment: None.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Croskey, IT IS ORDERED that the Board of Supervisors Amend the Board of Supervisors 2017 Master Meeting Schedule, adding a regular meeting on October 31, 2017 and/or other dates as directed by the Board. The motion carried by the following vote:

Aye: 4 - Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 – None

Absent: 1 – Supervisor Brown

SUPERVISOR BROWN PRESENT 9:50 A.M.

5C) DISCUSSION AND POSSIBLE ACTION REGARDING UPDATES ASSOCIATED WITH FIRE RECOVERY EFFORTS IN MENDOCINO COUNTY - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Tammy Moss Chandler, Director, Health and Human Services Agency; Ms. Shari Schapmire, Treasurer Tax Collector; Mr. Nash Gonzalez, Interim Director, Planning and Building Services; Mr. Trey Strickland, Manager, Environmental Health; Ms. Katharine L. Elliott, County Counsel; Ms. Sue Ranochak, Assessor/Clerk Recorder; and Mr. Christian Curtis, Chief Deputy County Counsel

Public Comment: Mr. Granville Poole; and Mr. Lee Howard.

BOARD RECESS: 10:47 A.M. – 10:39 A.M.

Board Directive: GENERAL CONSENSUS OF THE BOARD to clarify previous Board of Supervisors directive regarding letters to owners of short term owners. Outreach should not be limited to just those with available single family homes, but also those who may have extra room/bathroom available (licensed and who is already renting out). Additionally, staff shall reach out to North Coast Opportunities to help make connections with property owners (currently non-licensed operators) who may be willing to house fire victims. Staff will return with additional information. Chair McCowen will draft a letter to be reviewed by the CEO and the Treasurer Tax Collector. Additionally, staff should also include conversations with various Water Districts regarding water usage / potential penalties for those who may be housing fire victims.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall make arrangements to have a representative from Cal OES, FEMA or Army Corps of Engineers at the next meeting of the Board of Supervisors to address issues regarding land mounds/water tables in Potter Valley.

Board Directive: GENERAL CONSENSUS OF THE BOARD that if a County resident is not intending to make

it a permanent home (for temporary habitation only) on permanent foundation, then mobile homes should be allowed with an administrative permit, under the proposed Urgency Ordinance (must conform to State Building Code guidelines regarding setbacks, power and gas lines, etc., and inspected by Planning and Building Services), Density in proposed Ordinance should be adjusted to the total of whatever is currently allowed plus the fire victim or contractor.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Staff shall investigate a potential allowance to extend camping period for an additional 60 days to accomplish clean up (allowance shall be tied to a fire victim only).

COUNTY COUNSEL ABSENT: 10:54 A.M. - 10:57 A.M.

Board Directive: GENERAL CONSENSUS OF THE BOARD that any cannabis cultivator who was subject to a mandatory evacuation order during the Redwood Complex Fire would not be subject to the mandatory minimum tax for this fiscal year; but still required to pay sales tax for gross receipts.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the cultivation cycles working group should be activated, and Treasurer Tax Collector Schapmire shall be a member of the working group.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the Recovery Task Force shall hold monthly community meetings for the public to address their issues/concerns which should, if possible, include CAL OES and FEMA.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Staff shall provide a legal opinion regarding potential County fiscal obligations/ramifications regarding forms sent out in respect to the cleanup process.

LUNCH RECESS: 12:16 P.M. – 1:38 P.M.

6A) DISCUSSION AND POSSIBLE ACTION, INCLUDING WAIVING THE BOARD'S RULES OF PROCEDURE, RULE No. 27 - MOTION TO RECONSIDER AND POSSIBLE RECONSIDERATION OF THE BOARD OF SUPERVISORS ACTION ON OCTOBER 3, 2017, APPROVING OF A LETTER TO THE ARMY CORPS OF ENGINEERS (ACEO) REQUESTING ASSISTANCE IN ADDRESSING STAFFING, MAINTENANCE AND MANAGEMENT ISSUES AT LAKE MENDOCINO – SPONSOR: SUPERVISOR BROWN

Presenter/s: Supervisor Brown.

Public Comment: Mr. Lee Howard.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Croskey, IT IS ORDERED that that the Board of Supervisors waives the Board's Rules of Procedure, Specifically Rule No. 27, Motion to Reconsider; and reconsiders Board of Supervisors approval on October 3, 2017, of a letter to Army Corps of Engineers (ACEO) requesting assistance in addressing staffing, maintenance and management issues at Lake Mendocino. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 – None

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff and Supervisor Brown are encouraged to follow up with Lake Mendocino regarding campground re-opening.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves letter to the Army Corps of Engineers requesting specific assistance regarding issues at Lake Mendocino; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 – None

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:42 P.M.

Attest: KARLA VAN HAGEN
Senior Deputy Clerk of the Board

JOHN MCCOWEN, 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 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.mendocinocounty.org/government/board-of-supervisors
- 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.mendocinocounty.org/government/board-of-supervisors

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