

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
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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –December 18, 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 9:03A.M.)

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

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: Ms. Sue Ranochak.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Scott Ward; and Mr. Thomas Allman.

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

Presenter/s: Ms. Tammy Moss Chandler, Recovery Director; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Supervisors Brown and Hamburg shall work with Executive Office staff and Recovery Team as appropriate, regarding potential donations for fire victims and where those might best be deployed.

5A) DISCUSSION AND POSSIBLE ADOPTION OF A RESOLUTION SETTING MENDOCINO COUNTY ELECTED DEPARTMENT HEADS COMPENSATION FOR THE AUDITOR CONTROLLER, ASSESSOR CLERK RECORDER AND TREASURER TAX COLLECTOR; AND SETTING ELECTED OFFICIALS COMPENSATION FOR THE DISTRICT ATTORNEY AND SHERIFF, TO TAKE EFFECT DECEMBER 31, 2017 - SPONSORS: EXECUTIVE OFFICE AND HUMAN RESOURCES

Presenter/s: Ms. Heidi Dunham, Director, Human Resources.

Public Comment: Mr. Thomas Allman, Sheriff.

Board Action: Upon motion by Supervisor Croskey, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors adopts amended Resolution setting Mendocino County Elected Department Heads compensation for the Auditor Controller, Assessor Clerk Recorder and Treasurer Tax Collector; and setting Mendocino County Elected Officials compensation for the District Attorney, and Sheriff, to take effect December 31, 2017, and authorizes Chair to sign same. [Amendment: Previous action date changed to January, 5, 2010; Auditor-Controller salary changed to \$138,055; and future increases linked with Department Head salary reviews]. The motion carried by the following vote:

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

No: 1 - Supervisor McCowen

Enactment No: Resolution 17-189

RESOLUTION 17-189

RESOLUTION OF THE BOARD OF SUPERVISORS OF MENDOCINO COUNTY SETTING MENDOCINO COUNTY ELECTED DEPARTMENT HEADS COMPENSATION FOR THE AUDITOR-CONTROLLER, ASSESSOR-CLERK RECORDER AND TREASURER-TAX COLLECTOR AND SETTING ELECTED OFFICIALS COMPENSATION FOR THE DISTRICT ATTORNEY AND SHERIFF

5B) DISCUSSION AND POSSIBLE ACTION REGARDING SETTING ELECTED OFFICIALS COMPENSATION FOR THE BOARD OF SUPERVISORS TO TAKE EFFECT DECEMBER 31, 2017 - SPONSORS: EXECUTIVE OFFICE AND HUMAN RESOURCES

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

Public Comment: Mr. Ross Liberty; and Mr. Thomas Allman.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Croskey, IT IS ORDERED that the Board of Supervisors discusses the options regarding setting elected official compensation for the Board of Supervisors to take effect December 31, 2017; and provides direction to staff to present an amended ordinance amending Section 3.04.071 of the Mendocino County Code regarding compensation for Elected County Supervisors at the first meeting of the Board in January 2018. [Amendment: Set Board of Supervisors salary at \$85,500 annually, change effective date of new pay rate to effective date of Ordinance, and link salary to County Department head salary reviews. The motion carried by the following vote:

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

No: 1 - Supervisor Gjerde

5D) DISCUSSION AND ACTION INCLUDING ADOPTION OF A RESOLUTION DESIGNATING THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES, RECOVERY DIRECTOR, AND RECOVERY FINANCE DIRECTOR AS AUTHORIZED AGENTS TO ENGAGE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES) REGARDING ALL MATTERS PERTAINING TO FEDERAL FINANCIAL ASSISTANCE UNDER PUBLIC LAW 93 288 AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT OF 1988, AND/OR STATE FINANCIAL ASSISTANCE UNDER THE CALIFORNIA DISASTER ACT - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Tammy Moss Chandler, Recovery Director.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors adopts Resolution designating the Chief Executive Officer/Director of Emergency Services, Recovery Director, and Recovery Finance Director as authorized agents to engage with the Federal Emergency Management Agency (FEMA) and Governor's Office of Emergency Services (Cal OES) regarding all matters pertaining to federal financial assistance under Public Law 93 288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Act and authorizes the Chair to sign same; and further, authorizes the Clerk to the Board or designee to sign the California Governor's Office of Emergency Services Cal OES 130 Designation of Applicant's Agent Resolution for Non State Agencies Form. The motion carried by the following vote:

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

No: 0 - None

RESOLUTION 17-190

DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 11:23 A.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9D(2) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – ONE CASE

9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: GRIST CREEK AGGREGATES, LLC V. MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT. MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUK CVPT 15-66620

9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: PEOPLE OF THE STATE OF CALIFORNIA, ET AL. V. GRIST CREEK AGGREGATES, LLC. MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUK-CVG 16-67314

9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: FRIENDS OF OUTLET CREEK V. MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT. MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUK CVG 16 67449

9E) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: FRIENDS OF OUTLET CREEK V. MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT. MENDOCINO COUNTY SUPERIOR COURT CASE No. A148508

9F) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: FRIENDS OF OUTLET CREEK V. COUNTY OF MENDOCINO. MENDOCINO COUNTY SUPERIOR COURT CASE No. A147499

9G) PURSUANT TO GOVERNMENT CODE SECTION 54956.9C – CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION: ONE CASE

THE MENDOCINO COUNTY BOARD OF SUPERVISORS MET CONCURRENTLY AS THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS IN CONSIDERATION OF AGENDA ITEMS 9B) – 9E)

RECONVENED IN OPEN SESSION: 1:31 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair McCowen.

Board Action: In respect to agenda items 9(a) – 9(g), direction was given to staff.

5E) DISCUSSION AND DIRECTION REGARDING FISCAL YEAR 2017-18 DISTRIBUTION OF PROPOSITION 172 FUNDING TO COUNTY FIRE DISTRICTS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; and Mr. Lloyd Weer, Auditor Controller.

Public Comment: Mr. Michael Schaeffer; Mr. David Roderick; Mr. John Allison; Mr. Sage Sangiacomo; and Mr. Daryl Shepner.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors approves the allocation and disbursement of Proposition 172 funds to local fire agencies. The motion carried by the following vote:

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

No: 0 – None

6A) DISCUSSION AND POSSIBLE DIRECTION TO ALLOCATE AND DISBURSE \$87,521 IN CONTINGENCY FUNDS TO FULLY FUND THE PROPOSED ALTERNATIVE FUNDING FORMULA FOR ALLOCATION OF PROPOSITION 172 FUNDS TO LOCAL FIRE AGENCIES SHOULD IT BE APPROVED BY THE BOARD - SPONSOR: SUPERVISOR MCCOWEN

Presenter/s: Chairman McCowen

Chair McCowen passed the gavel to Supervisor Hamburg.

VICE-CHAIR HAMBURG PRESIDING.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves the allocation and disbursement of \$87,521 in Contingency Funds to fully fund the proposed alternative funding formula for allocation of Proposition 172 funds to local fire agencies. The motion carried by the following vote:

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

No: 0 - None

CHAIR MCCOWEN PRESIDING

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 2:29 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) 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.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