

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Vice-Chair

TOM WOODHOUSE
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor
Chair

DAN HAMBURG
5th District
Supervisor



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

KATHARINE L. ELLIOTT
County Counsel

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CENTER**
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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES November 1, 2016

**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 9:03 A.M.)

Present: Supervisor Carre Brown, Supervisor John McCowen, Chair Dan Gjerde, and Supervisor Dan Hamburg. Supervisor Tom Woodhouse, absent. Chair Gjerde presiding.

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

Pledge of Allegiance: Mr. Neil Davis.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Sage Mountainfire and Ms. Sarah Reith.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Public Comment: Mr. Marc Komer.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried (4/1, with Supervisor Woodhouse absent) IT IS ORDERED that consent items 4(a) – 4(k) and 4(m) are approved/rejected as follows. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Chair Gjerde, and Supervisor Hamburg

Absent: 1 - Supervisor Woodhouse

4A) CLAIM OF PACIFIC BELL

Rejected;

4B) CLAIM OF BRUCE E. BATES

Rejected;

4C) OCTOBER 4, 2016 REGULAR BOARD MEETING

Approved;

4D) OCTOBER 18, 2016 REGULAR BOARD MEETING

Approved;

4E) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Mr. Joe Caito, Noyo Harbor District, Commissioner (jointly appointed by Mendocino County Board of Supervisors and Fort Bragg City Council).

Approved;

4F) APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MENDOCINO, THE CITY OF UKIAH, AND THE UKIAH VALLEY TRAIL GROUP (UVTG) REGARDING THE MAINTENANCE AND IMPROVEMENT OF LOW GAP REGIONAL PARK AND ADOPTION OF UVTG'S 2015 LOW GAP PARK TRAIL PLAN – SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-091

4G) REAFFIRMATION OF A DECLARATION OF EMERGENCY PURSUANT TO MCC SEC. 2.32.040 AND PUBLIC CONTRACT CODE SECTION 22050 DUE TO DAMAGE TO A COUNTY OWNED FACILITY LOCATED AT 737 S. STATE ST., UKIAH CAUSED BY FLOODING – SPONSOR: EXECUTIVE OFFICE

Approved;

4H) ADOPTION OF PROCLAMATION RECOGNIZING SUSAN NORGARD'S ACCOMPLISHMENTS FOR MENDOCINO COUNTY – SPONSOR: SUPERVISOR GJERDE

Adopted and Chair is authorized to sign same;

- 4I) APPROVAL OF AGREEMENT WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$105,039 TO PROVIDE EMERGENCY SHELTER AND RESOURCE SERVICES IN FORT BRAGG AND THE COASTAL REGION IN FISCAL YEAR (FY) 2016-17 – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-092

- 4J) ADOPTION OF PROCLAMATION RECOGNIZING NOVEMBER 8, 2016, AS THE FIFTH ANNIVERSARY OF THE PASSAGE OF MEASURE A IN MENDOCINO COUNTY – SPONSOR: LIBRARY**

Adopted and Chair is authorized to sign same;

- 4L) ADOPTION OF RESOLUTION APPROVING AIRPORT CAPITAL IMPROVEMENT PLANS FOR THE LITTLE RIVER AND ROUND VALLEY AIRPORTS FOR FISCAL YEARS 2018 - 2022 AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ALL PERTINENT DOCUMENTS REQUIRED FOR FILING SAID PLANS WITH THE FEDERAL AVIATION ADMINISTRATION (LITTLE RIVER AND COVELO AREAS) – SPONSOR: TRANSPORTATION**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 16-133

- 4M) ACCEPTANCE OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT NO. EM 2016-0005 (SEITZ) TO REMOVE CONTAMINATED SOIL FROM AN ABOVEGROUND STORAGE TANK (AST) LEAK IN THE TOWN OF CASPAR, LOCATED AT 16224 N. HIGHWAY 1; APN 017-400-09 – SPONSOR: PLANNING AND BUILDING SERVICES**

Approved;

- 4N) APPROVAL OF CERTIFICATION OF THE OCTOBER 17, 2016, BOARD OF RETIREMENT ELECTION, ELECTING PATRICK SULLIVAN, GENERAL MEMBER, 2ND SEAT, TO A TERM BEGINNING DECEMBER 1, 2016; AND FURTHER ORDERING THAT NO ELECTION BE HELD FOR THE 7TH SEAT OF THE BOARD OF RETIREMENT, PURSUANT TO GOVERNMENT CODE SECTION 31523, DIRECTING THE RETIREMENT ADMINISTRATOR TO CAST A UNANIMOUS BALLOT FOR CRAIG WALKER, SAFETY MEMBER, FOR SAID SEAT, EFFECTIVE NOVEMBER 1, 2016 – SPONSOR: MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION**

Approved;

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

- 4K) APPROVAL OF AGREEMENT WITH SOFTFILE, INC., IN THE AMOUNT OF \$100,000 TO PROVIDE DIGITAL ARCHIVING AND FILE INDEXING SERVICES FOR PLANNING AND BUILDING SERVICES FOR THE TERM OF JULY 1, 2016 TO JUNE 30, 2017 – SPONSOR: PLANNING AND BUILDING SERVICES**

Public Comment: Mr. Steve Dunncliff, Director, Planning and Building Services.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors Approve an Agreement with Softfile, Inc., in the amount of \$100,000 to provide digital archiving and file indexing services for Planning and Building Services for the term of July 1, 2016 to June 30, 2017; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Chair Gjerde, and Supervisor Hamburg

Absent: 1 - Supervisor Woodhouse

Enactment No: Agreement 16-093

5C) DISCUSSION AND POSSIBLE APPROVAL OF THE MENDOCINO COUNTY LIBRARY ADVISORY BOARD BYLAWS – SPONSOR: LIBRARY

Presenter/s: Ms. Karen Horner, Librarian; and Mr. Marc Komer.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors approves the Mendocino County Library Advisory Board Bylaws as amended. *[Amendments: replace the term adoption or disavowal with "approval or disapproval"; change the revision to "a revision"; and change the word adoption to "approval."]* The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Chair Gjerde, and Supervisor Hamburg

Absent: 1 - Supervisor Woodhouse

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 Gustafson, Chief Planner, Planning and Building Services.

Public Comment: None.

Board Action: None.

5D) DISCUSSION AND POSSIBLE ACTION REGARDING MENDOCINO COUNTY'S INCLUSION IN THE REGIONAL WORKFORCE ALLIANCE OF THE NORTH BAY (WANB) JOINT POWERS AGENCY (JPA), INCLUDING TRANSMISSION OF LETTER REQUESTING INCLUSION AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO SIGN THE JPA, IF APPROVED – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Debra Dockins, Staff Services Administrator, Planning and Building Services.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors approves transmission of letter to Workforce Alliance of the North Bay officially requesting Mendocino County's inclusion in the Regional WANB JPA; *(adding the requirement that a minimum of 2 Supervisors shall be appointed to the Governing Board)*; authorizes Chief Executive Officer to sign resulting Joint Powers Agreement; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Chair Gjerde, and Supervisor Hamburg

Absent: 1 - Supervisor Woodhouse

5F) DISCUSSION AND POSSIBLE ACTION REGARDING AN INFORMATIONAL PRESENTATION ON NEW STATE LAW THAT IS INTENDED TO PROVIDE INCENTIVES FOR PROPERTY OWNERS TO CONSTRUCT ACCESSORY DWELLINGS AS A FORM OF HOUSING – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Steve Dunncliff, Director, Planning and Building Services; Ms. Adele Phillips, Planner II, Planning and Building Services; Mr. Dave Jensen, Director, Public Health; and Mr. Michael Oliphant, Senior. Building Inspector, Planning and Building Services.

Public Comment: None.

Board Action: GENERAL CONSENSUS OF THE BOARD that Planning and Building Staff return to a future meeting of the Board of Supervisors with specific recommendations based on discussion regarding this legislation today; which shall include the condition for coastal sector to not allow short term rentals.

BOARD RECESS: 10:29 A.M. - 10:42 A.M.

6B) DISCUSSION AND POSSIBLE ACCEPTANCE OF PRESENTATION BY AT&T ON THE CONNECT AMERICA FUNDING PHASE II PLANS FOR MENDOCINO, AND UPDATE ON AT&T'S NORTH COAST NETWORK RESILIENCY PLAN UPGRADE - SPONSOR: SUPERVISOR HAMBURG

Presenter/s: Ms. Rhunette L. Alumns, Area Director, AT&T and Mr. Marc Blakeman, Vice President External Affairs, AT&T.

Public Comment: Mr. Brian Basilius; Ms. Trish Steele; and Mr. Tom Allman, Sheriff.

Board Action: No action taken.

6A) SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST

Presenter/s: Board of Supervisors.

5A) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE

Board Action: No action taken.

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM – SPONSOR: EXECUTIVE OFFICE

Board Action: No action taken.

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 – WITHDRAWN~~

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

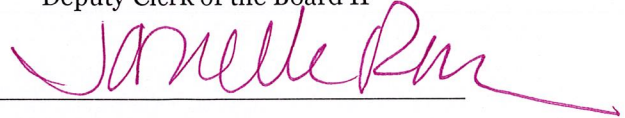
6C) ADJOURNMENT TO CELEBRATION OF MANZANITA SERVICES 8TH ANNIVERSARY, LOCATED AT 410 JONES STREET, UKIAH, CA

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 12:07 P.M.



DAN GJERDE, Chair

Attest: KARLA VAN HAGEN
Deputy Clerk of the Board II



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
- 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