

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor
Vice-Chair

DAN GJERDE
4th District
Supervisor

TED WILLIAMS
5th District
Supervisor
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 – August 27, 2019

**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 9:04 A.M.)

Present: Supervisor Carre Brown, Supervisor John McCowen, Supervisor Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams. Chair Brown presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer; Mr. Christian Curtis, Deputy County Counsel; and Ms. Lindsey Dunham, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Ms. Camile Schraeder

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Sheriff Thomas Allman

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Brown.

Public Comment: None.

Board Directive: Consent Calendar items 4c) and 4d) removed for separate consideration.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that Consent Calendar items 4a), 4b), and 4e) through 4h) are approved as follows. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4A) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Approved;

1. Mr. Walter Smith, District 3 Member, Mendocino County Climate Action Advisory Committee;
2. Mr. Javier Silva, District 3 Member, Mendocino County Climate Action Advisory Committee;
3. Ms. Ellen Drell, District 3 Member, Mendocino County Climate Action Advisory Committee; and
4. Ms. Gina Danner, Community At-Large Member, Policy Council on Children and Youth.

4B) APPROVAL OF MINUTES OF AUGUST 20, 2019, REGULAR MEETING

Approved;

4E) APPROVAL OF RETROACTIVE AMENDMENT TO REVENUE AGREEMENT NO. DD P11 006, A FEE FOR SERVICE AGREEMENT, WITH PARTNERSHIP HEALTHPLAN OF CALIFORNIA TO PROVIDE CHANGES TO ITS SUPPLEMENTAL SUBSTANCE ABUSE BENEFIT, EFFECTIVE JULY 1, 2019 UNTIL TERMINATED BY EITHER PARTY - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

Enactment No: Agreement *19-215

4F) APPROVAL OF RETROACTIVE AGREEMENT WITH LONG VALLEY FIRE PROTECTION DISTRICT IN THE AMOUNT OF \$66,000 FOR ADVANCED LIFE SUPPORT SERVICES TO ENHANCE EXISTING GROUND AMBULANCE SERVICES FOR THE TERM OF JULY 1, 2019 THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

Enactment No: Agreement 19-216

4G) ADOPTION OF RESOLUTION APPROVING AMENDMENT NUMBER 2 TO AGREEMENT 12 104/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 120014, FOR ENGINEERING CONSULTING SERVICES, WITH QUINCY ENGINEERING INC., IN THE AMOUNT OF \$418,850, FOR A NEW AGREEMENT TOTAL OF \$1,464,280, FOR THE DESIGN OF THE PHILO GREENWOOD BRIDGE REPLACEMENT OVER THE NAVARRO RIVER, COUNTY ROAD 132, MILEPOST 17.33 (PHILO AREA) - SPONSOR: TRANSPORTATION

Approved;

Enactment No: Resolution 19-332 and Agreement 12-104-A1

RESOLUTION 19-332

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NUMBER 2 TO AGREEMENT NUMBER 12-104/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 120014, FOR ENGINEERING CONSULTANT SERVICES, WITH QUINCY ENGINEERING INC., FOR AN ADDITIONAL AMOUNT OF \$418,580 FOR THE DESIGN OF THE PHILO-GREENWOOD ROAD BRIDGE REPLACEMENT OVER THE NAVARRO RIVER, COUNTY ROAD 132, MILEPOST 17.33 (PHILO AREA)

4H) APPROVAL OF OUTDOOR FESTIVAL APPLICATION FOR THE WINESONG FESTIVAL, TO BE HELD SEPTEMBER 7, 2019, IN FORT BRAGG; AND AUTHORIZATION FOR THE TREASURER TAX COLLECTOR TO ISSUE THE OUTDOOR FESTIVAL LICENSE - SPONSOR: TREASURER-TAX COLLECTOR

Approved.

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF RETROACTIVE AMENDMENT TO REVENUE AGREEMENT NO. PH 13 049 WITH MENDOCINO COAST DISTRICT HOSPITAL IN THE AMOUNT OF \$10,994, FOR A NEW AGREEMENT TOTAL OF \$60,994, TO SERVE AS AN EMERGENCY MEDICAL SERVICES BASE HOSPITAL FOR THE PERIOD OF JULY 1, 2013 THROUGH A NEW END DATE OF JUNE 30, 2019, EFFECTIVE JULY 1, 2018; AND APPROVAL OF RETROACTIVE REVENUE AGREEMENT WITH MENDOCINO COAST DISTRICT HOSPITAL IN THE AMOUNT OF \$33,647 TO SERVE AS AN EMERGENCY MEDICAL SERVICES BASE HOSPITAL FOR THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2022 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Tammy Moss Chandler, Director, Health and Human Services Agency.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves retroactive amendment to revenue Agreement No. PH 13 049 with Mendocino Coast District Hospital in the amount of \$10,994, for a new Agreement total of \$60,994, to serve as an emergency medical services base hospital for the period of July 1, 2013 through a new end date of June 30, 2019, effective July 1, 2018; approves retroactive revenue Agreement with Mendocino Coast District Hospital in the amount of \$33,647 to serve as an emergency medical services base hospital for the period of July 1, 2019 through June 30, 2022; authorizes the Health and Human Services Agency to sign any future amendments that do not increase the maximum contracted amount; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Agreement 19-217 and Agreement *19-218

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF EXTRA HELP APPOINTMENT OF JOY KINION TO FULFILL CRITICALLY NEEDED DUTIES AFTER HER RETIREMENT, PURSUANT TO GOVERNMENT CODE (GC) 7522.56 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Tammy Moss Chandler, Director, Health and Human Services Agency.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors approves the Extra Help appointment of Joy Kinion to fulfill critically needed duties after her retirement, pursuant to GC 7522.56. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

6A) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING THE REPORT OUT AND RECOMMENDATIONS OF THE HOMELESS EMERGENCY AID PROGRAM (HEAP) AD HOC COMMITTEE - SPONSOR: HEAP AD HOC COMMITTEE (SUPERVISORS GJERDE AND MCCOWEN)

Presenter/s: Supervisor McCowen; and Supervisor Gjerde.

Public Comment: Ms. Jacqueline Williams; and Ms. Camile Schraeder.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors discusses and gives direction to staff regarding the recommendations of the Homeless Emergency Aid Program (HEAP) Ad Hoc Committee. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE READING OF ORDINANCE AMENDING CHAPTER 15.16 OF THE MENDOCINO COUNTY CODE PROTECTION OF COUNTY ROADS, ADDING SECTION 15.16.070 PROHIBITED ACTIVITIES WITHIN OR ADJACENT TO COUNTY ROAD, AND SECTION 15.16.080 ENFORCEMENT OF SECTION 15.16.070 (COUNTYWIDE) - SPONSOR: TRANSPORTATION

Presenter/s: Ms. Amber Munoz, Deputy Director, Transportation; and Mr. Michael Makdisi, Deputy County Counsel.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors introduces and waives reading of Ordinance amending Chapter 15.16 of the Mendocino County Code Protection of County Roads, adding Section 15.16.070 Prohibited Activities Within or Adjacent to County Road, and Section 15.16.080 Enforcement of Section 15.16.070. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

5D) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF THE ADULT LOCAL CRIMINAL JUSTICE FACILITIES CONSTRUCTION FINANCING PROGRAM (SB 844) OPERATIONAL PROGRAM STATEMENT - SPONSOR: SHERIFF-CORONER

Presenter/s: Mr. Thomas Allman, Sheriff Coroner; and Mr. Timothy Pearce, Jail Captain.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors approves the SB 844 Operational Program Statement in its entirety, and direct the Clerk of the Board to provide the Sheriff's Office with a Minute Order of the Board's action. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

6B) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO COUNTY COUNSEL TO DEVELOP A SALES TAX ORDINANCE TO SUPPORT COUNTY-WIDE AMBULANCE SERVICE - SPONSOR: SUPERVISORS McCOWEN AND WILLIAMS (FIRE AND EMS SUSTAINABILITY AD HOC COMMITTEE)

Presenter/s: Supervisor Williams; and Supervisor McCowen.

Public Comment: Mr. David Roderick; Mr. Leonard Winter; and Mr. Sage Sangiacuomo.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors authorizes staff to work with the ad hoc to continue development of this proposal. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

6C) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO COUNTY COUNSEL TO DEVELOP A PRIVATE CAMPGROUND TRANSIENT OCCUPANCY TAX ORDINANCE WITH FUNDS PERMANENTLY EARMARKED TO SUPPORT RURAL FIRE DISTRICTS - SPONSOR: FIRE AND EMS SUSTAINABILITY AD HOC COMMITTEE (SUPERVISORS McCOWEN AND WILLIAMS)

Presenter/s: Supervisor Williams; and Supervisor McCowen.

Public Comment: Ms. Maureen Mulheren; Ms. Tekla Rose; Mr. Andres Avila; Mr. David Roderick; Mr. Tony Orth; and Mr. Michael Schafer.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors directs County Counsel and County staff to work with the Fire and EMS Sustainability Ad Hoc on developing specifics of a private campground Transient Occupancy Tax Ordinance and allocation model with funds permanently earmarked to support rural fire districts. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

6D) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF ORDINANCE AMENDING SECTION 3.04.190 OF THE MENDOCINO COUNTY CODE REGARDING COUNTY HOLIDAYS - SPONSOR: COUNTY COUNSEL AND HUMAN RESOURCES

Presenter/s: Mr. Christian Curtis, Deputy County Counsel; and Supervisor McCowen.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors Introduce and waive first reading of Ordinance amending section 3.04.190 of the Mendocino County Code regarding county holidays.. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 11:12 A.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: CARMEL J. ANGELO, HEIDI DUNHAM, CHERIE JOHNSON AND DONNA WILLIAMSON; EMPLOYEE ORGANIZATION(S): ALL

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

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

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Brown.

Board Action: With respect to items 9a) and 9b), direction was given to staff.

AGENDA ITEMS NO. 4C) AND 4D) – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:

~~**4C) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC. IN THE AMOUNT OF \$152,000 TO PROVIDE AN INLAND SHELTER AND DAY CENTER TO QUALIFIED INDIVIDUALS IN MENDOCINO COUNTY EFFECTIVE JULY 1, 2019 THROUGH JUNE 30, 2020 – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**~~

Withdrawn;

~~**4D) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$95,039 TO PROVIDE EMERGENCY SHELTER AND RESOURCE SERVICES IN FORT BRAGG AND TO THE COASTAL REGION EFFECTIVE JULY 1, 2019 THROUGH JUNE 30, 2020 – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**~~

Withdrawn.

5E) JOINT MEETING WITH THE BOARD OF SUPERVISORS AND THE LIBRARY ADVISORY BOARD - SPONSOR: LIBRARY/EXECUTIVE OFFICE

Presenter/s: Ms. Lynn Zimmerman, District 2 Representative; Ms. Dolly Riley, District 1 Representative; Ms. Janice Marcell, District 4 Representative; Ms. Pearl Watts, District 5 Representative; Ms. Maureen Mulheren, City of Ukiah Representative; and Mr. Michael Schaffer, District 5 Representative.

Public Comment: Ms. Karen Horner.

Board Directive: GENERAL CONSENSUS OF THE BOARD to create an informal working group including Supervisor Haschak and Supervisor Williams to work with the Round Valley Library to improve their wifi status.

Board Action: No Action Taken.

6E) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF A GUIDING PRINCIPLE, KEY POLICY DECISIONS, AND A STRATEGIC FINANCING PLAN FOR THE USE OF MEASURE B REVENUES, AS RECOMMENDED BY THE KEMPER REPORT, WITH A REQUEST TO THE MEASURE B COMMITTEE TO PROVIDE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS CONSISTENT WITH THE SAME - SPONSOR: SUPERVISORS McCOWEN AND HASCHAK

Presenter/s: Supervisor McCowen; and Supervisor Haschak.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors approves a guiding principle, key policy decisions, and a strategic financing plan for the use of Measure B revenues, as recommended by the Kemper Report; and requests the Measure B Committee provide recommendations to the Board of Supervisors consistent with the same. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

BOARD RECESS: 2:28 P.M. – 2:34 P.M.

5F) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION BY PACIFIC GAS AND ELECTRIC (PG&E) REGARDING THE NEW SAFETY INITIATIVE, PUBLIC SAFETY POWER SHUTOFF (PSPS) PROGRAM AND AN UPDATE REGARDING THE COUNTY'S ASSOCIATED PREPARATION - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Nash Gonzalez, Director, Fire Recovery; Ms. Darcie Antle, Deputy Chief Executive Officer; Ms. Janelle Rau, Deputy Chief Executive Officer; Ms. Allison Talbot, Pacific Gas and Electric Company; Mr. Matt Pender, Pacific Gas and Electric Company.

Public Comment: Mr. Arthur Juhl; and Mr. Mark Green.

Board Action: No action taken.

BOARD RECESS: 4:03 P.M. – 4:13 P.M.

6F) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF TO DEVELOP CANNABIS ENTERPRISE ZONE PLAN - SPONSOR: CANNABIS ECONOMIC DEVELOPMENT AD HOC COMMITTEE (SUPERVISORS WILLIAMS AND GJERDE) AND PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Brent Schultz, Director, Planning and Building Services.

Public Comment: Mr. Mark Greene; Mr. Adam Shumaker; Mr. James Kleier; Mr. Aaron Greene; Ms. Joanna Cedar; Mr. Dennis Hunter; Mr. Mike Mosquini; Mr. Micah Anderson; Mr. Zack Allen; Ms. Sarah Bodnar; Mr. Andre Kajlich; Shane Osburn; Dylan McGinty; Ms. Corinne Powell; Ms. Monique Ramirez; Mr. Ian Powell; Ms. Patricia Vargas.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams IT IS ORDERED that the Board of Supervisors directs staff to research developing multi use cannabis enterprise zones of 1 to 10 acres that would allow co location of cultivation, nursery, processing, manufacturing, and employee housing, including: 1) the potential for an environmental review process funded by the potential applicants that would include resolving environmental review issues for current less than 10,000 square foot cultivators; 2) minimizing impacts to residential neighbors; 3) the potential to encourage the relocation of current cultivators to more viable locations; 4) the potential for limiting applicants to those currently permitted or seeking permits in Mendocino County; 5) and the potential for minimizing hoop houses and other aesthetic impacts while promoting the production of sun grown cannabis. The motion carried by the following vote:

Aye: 4 – Supervisor Brown, Supervisor McCowen, Supervisor Gjerde, and Supervisor Williams

No: 1 – Supervisor Haschak

Absent: 0 – None

5G) CHIEF EXECUTIVE OFFICER'S REPORT — SPONSOR: EXECUTIVE OFFICE

Withdrawn.

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

Withdrawn.


6G) SUPERVISORS' RESPORTS

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:32 P.M.

Attest: JANELLE RAU
Deputy Chief Executive Officer



CARRE BROWN, 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