

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor

**GEORGEANNE
CROSKEY**
3rd District
Supervisor
Vice-Chair

DAN GJERDE
4th District
Supervisor

DAN HAMBURG
5th District
Supervisor
Chair

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



KATHARINE L. ELLIOTT
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MENDOCINO COUNTY
BOARD OF SUPERVISORS
BOARD OF SUPERVISORS AGENDA

April 10, 2018 - 9:00 AM
BOARD CHAMBERS, ROOM 1070
COUNTY ADMINISTRATION CENTER

TIMED ITEMS

Please note that all times provided are considered approximate

1:30 PM Noticed Public Hearing- Discussion and Possible Action Including Adoption of Ordinance Repealing Mendocino County Code Chapter 9.30 Adult Use Marijuana Cultivation Regulation and Amending Mendocino County Code Chapter 10 A.17 Medical Cannabis Cultivation and Chapter 20.242 Medical Cannabis Cultivation Site of the Inland Mendocino County Zoning Code (refer to item 5g))

Following the posting of the Agenda, all agenda item supporting documentation, including any material submitted to the Clerk after distribution of the Agenda packet, is available for public review through the Executive Office, 501 Low Gap Road, Room 1010, Ukiah, CA 95482 during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

Persons wishing to file documentation on any agenda item for the official record must submit ten (10) copies of each document to the Executive Office.

Members of the public are advised that all cell phones or electronic devices are to be silenced upon entering the Board Chambers.

1. OPEN SESSION (9:00 A.M.)

1a) Roll Call

1b) Pledge of Allegiance

2. PROCLAMATIONS

Items in this section are automatically adopted unless specifically pulled by a Supervisor. Proclamations may be presented or commented on as needed.

2a) Adoption of Proclamation Recognizing April 15 - 21, 2018, as Volunteer Appreciation Week in Mendocino County (Sponsor: Human Resources)

Recommended Action:

Adopt Proclamation recognizing April 15 - 21, 2018, as Volunteer Appreciation Week in Mendocino County; and authorize Chair to sign same.

Attachments: [PROCLAMATION](#)
[Photograph](#)

2b) Adoption of Proclamation Declaring April 2018, as National County Government Month in Mendocino County with the Theme of "Serving the Underserved" (Sponsor Supervisor Hamburg)

Recommended Action:

Adopt Proclamation declaring April 2018, as National County Government Month in Mendocino County, with the theme of "Serving the Underserved"; and authorize Chair to sign same.

Attachments: [National County Government Month.docx](#)
[Photograph](#)

**2c) Adoption of Proclamation Recognizing April 8 - 14, 2018, as Crime Victims' Rights Week in Mendocino County
(Sponsor: District Attorney)**

Recommended Action:

Adopt Proclamation recognizing April 8 - 14, 2018, as Crime Victims' Rights Week in Mendocino County; and authorize Chair to sign same.

Attachments: [PROCLAMATION Victims' Rights Week 2018](#)
[Photograph](#)

3. PUBLIC EXPRESSION

Members of the public are welcome to address the Board on items not listed on the agenda, but within the jurisdiction of the Board of Supervisors. The Board is prohibited by law from taking action on matters not on the agenda, but may ask questions to clarify the speaker's comment. The Board limits testimony on matters not on the agenda to 3 minutes per person and not more than 10 minutes for a particular subject at the discretion of the Chair of the Board.

Individuals wishing to address the Board under Public Expression are welcome to do so throughout the meeting. To best facilitate these items, please review and complete the public comment/speaker form available at the back of the Boardroom and present to the Clerk. If you wish to submit written comments, please provide 10 copies to the Executive Office staff, located in the County Administration Center, Room 1010. All meetings are tape-recorded, so speakers are reminded to announce their names as they approach the podium.

Public Expression

4. CONSENT CALENDAR

The Consent Calendar is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Calendar for individual consideration.

See section at the end of this document for the full listing of Consent items.

5. COUNTY EXECUTIVE OFFICE AND DEPARTMENTAL MATTERS

5a) Discussion and Possible Action Regarding an Informational Presentation from the Mendocino Solid Waste Management Association (MSWMA) on the Organization's Three (3) Year Plan, Staffing, and Other Recent MSWMA Changes

(Sponsor: Executive Office)

Recommended Action:

Receive the informational presentation from MSWMA General Manager Robert Carlson on the Organization's Three Year Plan, staffing, and other recent MSWMA changes.

Attachments: [BOS Presentation](#)
[2018 MSWMA three year plan](#)

5b) Discussion and Possible Action Regarding Updates Associated with Fire Recovery Efforts in Mendocino County
(Sponsor: Executive Office)

Recommended Action:

Receive update regarding fire recovery efforts in Mendocino County; and provide direction as appropriate.

5c) Discussion and Possible Action Including Approval of Retroactive Amendment to Purchasing Agent Agreement No. 17-57 with Sonoma County Probation Extending the Termination Date from June 30, 2018 to June 30, 2019 and Increasing the Total Agreement Amount from Forty Five Thousand Dollars (\$45,000) to One Hundred Five Thousand Dollars (\$105,000)
(Sponsor: Probation)

Recommended Action:

Approve retroactive amendment to Purchasing Agent Agreement No. 17-57 with Sonoma County Probation, extending the termination date from June 30, 2018 to June 30, 2019 and increasing the total agreement amount from forty five thousand dollars (\$45,000) to one hundred five thousand dollars (\$105,000); and authorize the Chair to sign same.

Attachments: [Sonoma County Probation Camp Amendment #2](#)

**5d) Discussion and Possible Action Regarding Informational Update on the Implementation of the Mendocino County Cannabis Cultivation Program and Cannabis Compliance and Code Enforcement Unit
(Sponsor: Cannabis Program Unit)**

Recommended Action:

Accept implementation update regarding the Mendocino County Cannabis Cultivation Program and Cannabis Compliance and Code Enforcement Unit and, as necessary, provide direction on implementation.

Attachments: [Cannabis BOS Presentation April 10 Final](#)
[04-09-18 M&M Correspondence](#)
[04-10-18 Edwards Correspondence](#)
[04-10-18 Overton Update](#)

**5e) Discussion and Possible Action Including Approval of Extra Help Appointment of Valerie Lawe Cannon to Fulfill Critical Duties, Pursuant to California Government Code Section 7522.56
(Sponsor: Health and Human Services Agency)**

Recommended Action:

Approve the Extra Help Appointment of Valerie Lawe Cannon to fulfill critical duties, pursuant to California Government Code Section 7522.56.

**5f) Discussion and Possible Action Regarding Presentation Recognizing April 8-14, 2018, as Public Health Week in Mendocino County
(Sponsor: Health and Human Services Agency)**

Recommended Action:

Receive presentation recognizing April 8-14, 2018, as Public Health Week in Mendocino County.

Attachments: [Public Health Week Presentation. 4-10-18](#)
[Public Health Video](#)

5g) Noticed Public Hearing- Discussion and Possible Action Including Adoption of Ordinance Repealing Mendocino County Code Chapter 9.30 Adult Use Marijuana Cultivation Regulation and Amending Mendocino County Code Chapter 10 A.17 Medical Cannabis Cultivation and Chapter 20.242 Medical Cannabis Cultivation Site of the Inland Mendocino County Zoning Code (Sponsors: County Counsel and Planning and Building Services)

Recommended Action:

Adopt Ordinance repealing Mendocino County Code Chapter 9.30 Adult Use Marijuana Cultivation Regulation and amending Mendocino County Code Chapter 10 A.17 Medical Cannabis Cultivation and Chapter 20.242 Medical Cannabis Cultivation Site of the Inland Mendocino County Zoning Code; and authorize Chair to sign same.

Attachments:

- [Supplemental Memo](#)
- [CEQA Addendum Cultivation Ordinance](#)
- [BOS Resolution 17-042 - IS-MND for Cultivation](#)
- [Previous ADDENDUM TO MND OA 2018-0001](#)
- [Redline - Cultivation Ordinance Amendments](#)
- [Cultivation Ordinance Amendments Final](#)
- [Public Notice FINAL](#)
- [Ordinance SUMMARY - Cultivation Ordinance Amendments](#)
- [Staff Memo](#)
- [Planning Commission Resolution](#)
- [Memo to Planning Commission](#)
- [Planning Commission Resolution](#)
- [Supplemental Memorandum 4.3.18](#)
- [Affadavit of Publication](#)
- [04-10-18 Nelson correspondence \(2\)](#)
- [04-10-18 Nelson correspondence \(1\)](#)
- [04-10-18 O'Neill correspondence](#)

- 5h) Noticed Public Hearing - Discussion and Possible Action Including Adoption of an Ordinance Rezoning (R_2017-0003- Baynham), One (1) Parcel, Located at 6820 Fitzhugh Road, Laytonville (APNs: 033-040-48 and 033-040-49) Totaling 160± Acres Currently Zoned Public Facilities (PF) to Forest Land (FL) (Sponsor: Planning and Building Services)**

Recommended Action:

Adopt Ordinance rezoning one (1) parcel, (R_2017-0003 - Baynham), totaling 160± acres currently zoned PF to FL, located at 6820 Fitzhugh Road, Laytonville (APNs: 033-040-48 and 033-040-49); and authorize Chair to sign same.

Attachments: STAFF REPORT
STAFF MEMO
SIGNED RESOLUTION
EXHIBIT A FOR ORDINANCE
ORDINANCE
LEGAL NOTICE
Signed - Proof of Publications

- 5i) Discussion and Possible Action Regarding Preparation of an Ordinance Amending the Mendocino County Inland Zoning Code (Title 20, Division I), Chapter 20.146 (Accessory Use Regulations) and Addition of Chapter 20.147 (Short-Term Vacation Rental Activities) (Sponsors: Planning and Building Services and Supervisors Croskey and Gjerde; Housing Ad Hoc Committee)**

Recommended Action:

Provide direction regarding preparation of an Ordinance amending the Mendocino County Inland Zoning Code (Title 20, Division I), Chapter 20.146 (Accessory Use Regulations) and addition of Chapter 20.147 (Short-Term Vacation Rental Activities).

Attachments: Memorandum
CHAPTER 20.165 - ACCESSORY USE (SHORT-TERM VACATIC
CHAPTER 20.164 ACCESSORY USE REGULATIONS DRAFT
2016-12-12-ADU-TA-Memo
CHAPTER 20.008- DEFINITIONS-DRAFT

- 5j) Discussion and Possible Action Including Approval of Letter Rejecting All Bids for the Teen Room and Conference Room Remodel Projects at the Ukiah Library (Bid Number 03-18), and Direction to Staff to Evaluate Cost Saving Alternatives with the Library Staff and Rebid the Project (Sponsor: Executive Office)**

Recommended Action:

Approve letter rejecting all bids for the Teen Room and Conference Room Remodel Projects at the Ukiah Library (Bid Number 03-18); authorize Chair to sign same; and direct staff to evaluate cost saving alternatives with the Library staff and rebid the project.

Attachments: [Notice of Non-Award](#)

- 5k) Discussion and Possible Action Including Review, Adoption, Amendment, Consideration or Ratification of Legislation Pursuant to the Adopted Legislative Platform (Sponsor: Executive Office)**

Recommended Action:

Provide direction to staff on matters of legislation.

- 5l) Chief Executive Officer's Report (Sponsor: Executive Office)**

6. BOARD OF SUPERVISORS AND MISCELLANEOUS

- 6a) Supervisors' Reports Regarding Board Special Assignments, Standing and Ad Hoc Committee Meetings, and Other Items of General Interest**

7. BOARD OF DIRECTORS MATTERS

The Mendocino County Board of Supervisors meets concurrently as the Board of Directors of the: In-Home Supportive Services Public Authority Governing Board; Mendocino County Air Quality Management District; Mendocino County Public Facilities Corporation; and the Mendocino County Water Agency.

8. MODIFICATIONS TO AGENDA

Items added to the agenda subsequent to agenda publication, up to 72 hours in advance of the meeting, pursuant to Government Code section 54954.

9. CLOSED SESSION

Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1.

- 9a) Pursuant to Government Code Section 54956.9d(2) – Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation – Three Cases

10. COMMUNICATIONS RECEIVED AND FILED

Communications received and filed are retained by the Clerk throughout the Board proceedings. To review items described in this section, please contact the Executive Office staff in Room 1010.

4. CONSENT CALENDAR - CONTINUED

The Consent Calendar is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Calendar for individual consideration.

ITEMS RECOMMENDED FOR DENIAL/REJECTION:

CLAIMS AGAINST THE COUNTY**4a) Claim of Rebecca Whiteman**

Attachments: [Notice of Claim Redacted](#)

ITEMS RECOMMENDED FOR APPROVAL:

APPOINTMENTS**4b) Approval of Recommended Appointments/Reappointments**

Recommended Action:

Approve the following appointments/reappointments:

- 1. Mr. Howard Dashiell, Potter Valley Cemetery District, Trustee; and*
- 2. Mr. William H. Cull, Archeological Commission of Mendocino County, Archeologist.*

MINUTES**4c) March 27, 2018, Regular Meeting**

Attachments: [03-27-18 Minutes - DRAFT](#)

COUNTY COUNSEL**4d) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Potter Valley Irrigation District with the General Election to be Held in November During Even-Numbered Years**

Recommended Action:

Adopt Resolution authorizing the consolidation of election of the Governing Board of the Potter Valley Irrigation District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: [BOS Resolution - Change of Election Date](#)
[District's Reso](#)
[Notice letter to all districts - signed](#)
[Potter Valley Irrigation District Impact Report](#)

4e) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Albion Little River Fire Protection District with the General Election to be Held in November During Even-Numbered Years

Recommended Action:

Adopt Resolution authorizing the consolidation of election of the Governing Board of the Albion Little River Fire Protection District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: [RESOLUTION](#)
[District's Reso](#)
[signed notice letter](#)
[Albion Little River Fire Protection District Impact Report](#)

4f) Approval of Amendment to Board of Supervisors Agreement No. 17-098A1 with Mitchell, Brisso, Delaney & Vrieze Increasing the Amount from \$150,000 to \$250,000 for Litigation Services in Linda Morales v. County of Mendocino, et al.

Recommended Action:

Approve Amendment to Board of Supervisors Agreement No. 17-098A1 with Mitchell, Brisso, Delaney & Vrieze increasing the amount from \$150,000 to \$250,000 for litigation services in Linda Morales v. County of Mendocino, et al.; and authorize Chair to sign same.

Attachments: [Amendment to 17-098A1 \\$250.000](#)
[BOS AGREEMENT 17-098-A1 \\$150.000](#)
[Amendment 17-098 \\$100.000](#)
[Amendment PA 17-173 \\$50.000](#)
[MBDV Contract 2017 \\$25.000](#)

EXECUTIVE OFFICE

4g) Approval of Amendment to Purchasing Agreement No. 18-74 with William E. Schurtz for Consultation and Project Management Services in Support of Fire Recovery Operations, Increasing the Agreement from \$50,000 to \$75,000; and Extending the Termination Date of the Agreement to June 30, 2018

Recommended Action:

Approve amendment to Agreement No. 18-74 with William E. Schurtz for consultation and project management services in support of fire recovery operations, increasing the Agreement from \$50,000 to \$75,000 and extending the termination date of the Agreement to June 30, 2018; and authorize Chair to sign same.

Attachments: [Agreement](#)

- 4h) Approval of Agreement for Residence Emergency Disaster Assistance in the Amount of \$254,854 from Golden State Finance Authority (GSFA) and Authorization for Chief Executive Officer to Sign Amendments that Do Not Increase the Maximum Amount**

Recommended Action:

Approve Agreement for Residence Emergency Disaster Assistance in the amount of \$254,854 from Golden State Finance Authority (GSFA); authorize Chief Executive Officer to sign amendments that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: [Agreement](#)

- 4i) Approval of Agreement with Interactive Resources, Inc. in the Amount of \$98,560 for the Term of April 10, 2018, through December 31, 2019, for Design and Engineering Services for the Removal and Installation of the Front Entry Canopy Structures at the Yokayo Social Services Center at 737 and 747 South State Street in Ukiah**

Recommended Action:

Approve Agreement with Interactive Resources, Inc. in the amount of \$98,560 for the term of April 10, 2018, through December 31, 2019, for design and engineering services for the removal and installation of the front entry canopy structures at the Yokayo Social Services Center at 737 and 747 South State Street in Ukiah; and authorize Chair to sign same

Attachments: [Interactive](#)

HEALTH AND HUMAN SERVICES AGENCY

- 4j) Approval of Retroactive Agreement with North Coast Opportunities in the Amount of \$24,840 to Provide Information and Referral Services to Families Likely to be Income-Eligible for Medi-Cal and/or CalFresh for the Period of January 1, 2018 through June 30, 2018**

Recommended Action:

Approve retroactive Agreement with North Coast Opportunities in the amount of \$24,840 to provide information and referral services to families likely to be income-eligible for Medi-Cal and/or CalFresh for the period of January 1, 2018 through June 30, 2018; authorize the Health and Human Services Agency Director or designee to sign any amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [North Coast Opportunities. \\$24.840](#)

HUMAN RESOURCES

4k) Adoption of Resolution Setting Compensation for Assistant County Counsel, Chief Deputy County Counsel, and Deputy County Counsel I-IV, to Take Effect April 8, 2018

Recommended Action:

Adopt Resolution setting compensation for Assistant County Counsel, Chief Deputy County Counsel, and Deputy County Counsel I-IV, to take effect April 8, 2018; and authorize Chair to sign same.

Attachments: [4.10.18 HR- County Counsel Positions Salary Adjustments - RESC](#)

4l) Adoption of Resolution Amending the Position Allocation Table as Follows: Museum, Budget Unit 7110 Delete One (1) FTE Program Specialist II; Add One (1) FTE Program Administrator

Recommended Action:

Adopt Resolution amending the Position Allocation Table as follows: Museum, Budget Unit 7110 delete one (1) FTE Program Specialist II; add one (1) FTE Program Administrator; and authorize Chair to sign same.

Attachments: [2018.4.10 HR Museum Position Allocation Table Changes - Reso](#)

LIBRARY**4m) Approval of Memorandum of Understanding Between Sonoma Clean Power and Mendocino County Library to Offer Do It Yourself Water and Energy Saving Toolkits to Mendocino County Library Patrons****Recommended Action:**

Approve Memorandum of Understanding between Sonoma Clean Power and Mendocino County Library to offer Do it Yourself Water and Energy Saving Toolkits to Mendocino County Library patrons; and authorize Chair to sign same.

Attachments: [MOU between Mendocino County Library and Sonoma Clean Pow](#)

PLANNING AND BUILDING SERVICES**4n) Approval of Transfer of \$30,000 from Fund 1100-2851-862189 to Fund 1100-2851-864370 for the Expense of a New Toyota Tacoma Pick-up for Building Inspection and Code Enforcement Services****Recommended Action:**

Approve the transfer of \$30,000 from Fund 1100-2851-862189 to Fund 1100-2851-864370 for the expense of a new Toyota Tacoma pick-up for Building Inspection and Code Enforcement services.

Attachments: [Truck transfer doc](#)

TRANSPORTATION**4o) Adoption of Resolution Approving List of Road Maintenance and Rehabilitation Account Projects for Fiscal Year 2018-19, Funded By Senate Bill 1: The Road Repair and Accountability Act of 2017, (Countywide)****Recommended Action:**

Adopt Resolution approving list of Road Maintenance and Rehabilitation Account (RMRA) projects for Fiscal Year (FY) 2018-19 funded by Senate Bill 1(SB 1): The Road Repair and Accountability Act of 2017, (Countywide); and authorize Chair to sign same.

Attachments: [Letter - DOT RMRA Project list 18-19](#)
[Resolution - DOT RMRA Project list 18-19](#)

ADJOURNMENT

Additional Meeting Information for Interested Parties

The Board of Supervisors complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Executive Office by calling (707) 463-4441 at least five days prior to the meeting.

If you wish to address the Board on any matter on the agenda, please review and complete the public comment/speaker form available at the back of the Board Chambers. If you wish to submit documentation, please email your documentation to bos@mendocinocounty.org; or submit a hard copy to the Executive Office at least 5 business days in advance of the meeting.

A copy of the Agenda Packet is available for public review in the Executive Office, Room 1010. Proposed actions and supporting documents are considered draft until acted upon by the Board.

Additional information on specific agenda items may be obtained by contacting the sponsoring departments. Contact information for County departments may be obtained at www.mendocinocounty.org/departments.htm.

Board proceedings are broadcast on the local Public Access Channel to accommodate greater public access; tune in at the corresponding Open Session time as posted on the front page of the Agenda.

LIVE WEB STREAMING OF BOARD MEETINGS: <https://mendocino.legistar.com>, or visit the County YouTube channel. For technical assistance, please contact the Clerk of the Board at (707) 463-4441.

Please reference the departmental website to obtain additional resource information for the Board of Supervisors: www.mendocinocounty.org/bos.

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