

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

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –September 12, 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 9:01 A.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, Deputy Clerk of the Board II.

The Pledge of Allegiance was led by: Mr. Randy Johnson.

2A) ADOPTION OF PROCLAMATION RECOGNIZING SEPTEMBER 2017 AS CHILDHOOD CANCER AWARENESS MONTH IN MENDOCINO COUNTY - SPONSORS: SUPERVISORS BROWN AND MCCOWEN

Presenter/s: Supervisor McCowen.

Public Comment: None.

Board Action: Approved without objection.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Alan Flora, Assistant Chief Executive Officer; Mr. Andres Avila; Mr. George Gonzalez; Mr. Joe Scriven; Mr. Ron Edwards; Ms. Tarney Sheldon; Mr. Paul Hansbury; Ms. Susan Tibbon; Ms. Maria Escamilla; Mr. John Allison; Mr. Patrick Sellers; and Mr. Roger Wheeler.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Supervisor McCowen.

Public Comment: None.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Brown, IT IS ORDERED that consent items 4(a) – 4(ap) are approved/rejected as follows. The motion carried by the following vote:

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

No: 0 - None.

4A) CLAIM OF CSAA INSURANCE EXCHANGE (DENNIS BACCI)#1 (WRONG DATE OF LOSS)

Rejected;

4B) CLAIM OF CSAA INSURANCE EXCHANGE (DENNIS BACCI) #2 (CORRECT DATE OF LOSS)

Rejected;

4C) CLAIM OF WENDY WILLIAMSON

Rejected;

4D) CLAIM OF CECIL DIXON

Rejected;

4E) CLAIM OF ZUZANA PIRAS

Rejected;

4F) CLAIM OF DORIS SEYMOUR

Rejected;

4G) CLAIM OF KENNETH KRAUSS

Rejected;

4H) CLAIM OF MICHAEL SULLIVAN

Rejected;

4I) JULY 18, 2017, REGULAR MEETING

Approved;

4J) AUGUST 1, 2017, REGULAR MEETING

Approved;

4K) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Approved;

1. Maryellen Sheppard, Assessment Appeals Board, Member;
2. Marc Komer, Library Advisory Board, 3rd District Representative;
3. Michael Schaeffer, Library Advisory Board, 5th District Representative;
4. Sandra Applegate, First 5 Mendocino, General Representative;
5. Joni Kirvin, Laytonville Municipal Advisory Council, Member; and
6. Michael Kura, Mendocino County Fish and Game Commission, 2nd District Representative (appointment of Mr. Kura includes a waiver of residency as he is a 1st District resident).

4L) RATIFICATION OF SUBMISSION OF LETTER OPPOSING ASSEMBLY BILL 1250 REGARDING COUNTY CONTRACTS FOR PERSONAL SERVICES SPONSOR: SUPERVISOR MCCOWEN

Approved;

4M) APPROVAL OF AMENDMENT TO MEMORANDUM OF UNDERSTANDING (BOARD OF SUPERVISORS AGREEMENT NO. 17 048) BETWEEN THE COUNTY OF MENDOCINO AND LAKE COUNTY FOR ACTING SEALER SERVICES IN THE AMOUNT OF \$1,500 PER MONTH, EXTENDING THE TERM OF THE AGREEMENT FROM AUGUST 31, 2017 TO OCTOBER 31, 2017 – SPONSOR: AGRICULTURE

Approved;

Enactment No: Agreement 17-048-A1* (Interim)

4N) APPROVAL OF APPOINTMENTS IN LIEU OF ELECTION FOR THE NOVEMBER 7, 2017, CONSOLIDATED DISTRICTS ELECTION – SPONSOR: COUNTY COUNSEL

Approved;

4O) ADOPTION OF RESOLUTION APPROVING MENDOCINO COUNTY’S 2017-18 TAX RATES – SPONSOR: AUDITOR-CONTROLLER

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-125

RESOLUTION 17-125

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE MENDOCINO COUNTY PROPERTY TAX RATES FOR FISCAL YEAR 2017-18

4P) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE ELK COMMUNITY SERVICES DISTRICT WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER DURING EVEN NUMBERED YEARS – SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Resolution No: 17-126

RESOLUTION 17-126

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF ELK COMMUNITY SERVICES DISTRICT WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER DURING EVEN-NUMBERED YEARS

4Q) APPROVAL OF AMENDMENT TO PURCHASING AGENT AGREEMENT NO. 17-173 WITH MITCHELL, BRISSO, DELANEY & VRIEZE FOR CONTINUING LEGAL REPRESENTATION, INCREASING THE AMOUNT FROM \$50,000 TO A TOTAL OF \$100,000 – SPONSOR: COUNTY COUNSEL

Approved;

Enactment No: Agreement 17-098

4R) AUTHORIZATION TO AWARD A CONTRACT TO T&T PAVING INC. DBA VALLEY PAVING IN THE AMOUNT OF \$198,600 FOR THE MENDOCINO COUNTY WISC (BUILDING NOS. 61 & 62) PARKING LOT PAVING & LIGHTING PROJECT LOCATED AT 470 EAST VALLEY STREET IN WILLITS, CA; AND AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ACT AS PROJECT MANAGER AND APPROVE CHANGE ORDERS FOR THE PROJECT, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142 – SPONSOR: EXECUTIVE OFFICE

Approved;

Enactment No: Agreement 17-099

4S) APPROVAL OF AGREEMENT WITH COBBLESTONE SYSTEMS IN THE AMOUNT OF \$64,467.92 (INCLUDING FIVE YEARS OF SOFTWARE MAINTENANCE SERVICES) FOR CONTRACT MANAGEMENT SOFTWARE SERVICES AND MAINTENANCE FOR FISCAL YEAR 2017-18 THROUGH FISCAL YEAR 2021-22 – SPONSOR: EXECUTIVE OFFICE

Approved;

Enactment No: Agreement 17-100

4T) APPROVAL OF AGREEMENT WITH FEI.COM, INC., IN THE AMOUNT OF \$58,925 TO PROVIDE SUPPORT AND MAINTENANCE FOR THE MENDOWITS SOFTWARE SYSTEM IN FISCAL YEAR 2017-18 – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

Enactment No: Agreement 17-101

4U) APPROVAL OF REVISED AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES, TO RECEIVE AN ALLOCATION AMOUNT OF \$400,000 OVER A FOUR YEAR PERIOD TO IMPLEMENT THE STRATEGIC PREVENTION FRAMEWORK PARTNERSHIPS FOR SUCCESS STRATEGIES RELATING TO OPIOID ABUSE PREVENTION FROM JULY 1, 2017 TO JUNE 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

Enactment No: Agreement 17-102* (Interim)

4V) APPROVAL OF AGREEMENT WITH DIMENSION REPORTS, LLC, IN THE AMOUNT OF \$58,500 TO PROVIDE OVERSIGHT OF THE SHORT DOYLE MEDI CAL SYSTEM PROGRAMS AND REPORTS FOR BEHAVIORAL HEALTH AND RECOVERY SERVICES IN FISCAL YEARS 2018-20 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

Enactment No: Agreement 17-103

4W) APPROVAL OF AGREEMENT WITH MENDOCINO COUNTY OFFICE OF EDUCATION IN THE AMOUNT OF \$175,000 TO PROVIDE CALFRESH OUTREACH SERVICES TO SCHOOL CHILDREN IN MENDOCINO COUNTY FOR FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

Enactment No: Agreement 17-104

4X) APPROVAL OF AGREEMENT WITH REDWOOD TOXICOLOGY INC., AKA REDWOOD BIOTECH, IN THE AMOUNT OF \$80,000 TO PROVIDE LABORATORY TESTING AND SUPPLIES FOR FAMILY AND CHILDREN’S SERVICES IN FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

Enactment No: Agreement 17-105

4Y) APPROVAL OF AGREEMENT WITH THE FAMILY RESOURCE CENTER NETWORK OF MENDOCINO COUNTY IN THE AMOUNT OF \$179,293 TO PROVIDE PROGRAMS FOR CHILD ABUSE PREVENTION AND INTERVENTION IN FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

Enactment No: Agreement 17-106

4Z) ADOPTION OF RESOLUTION AUTHORIZING SALARY GRADE ADJUSTMENTS TO THE FOLLOWING CLASSIFICATIONS: ASSISTANT ASSESSOR AND ASSISTANT TREASURER TAX COLLECTOR FROM SALARY GRADE MA40 TO U44Z; AND ASSISTANT CLERK RECORDER/REGISTRAR FROM MA37 TO U42A – SPONSOR: HUMAN RESOURCES

Approved;

Enactment No: Resolution 17-127

RESOLUTION 17-127

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING FOR THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

4AA) ADOPTION OF RESOLUTION AMENDING RESOLUTION NO. 10 006, IMPLEMENTING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR UNREPRESENTED MANAGEMENT EMPLOYEES - SPONSOR: HUMAN RESOURCES

Approved;

Enactment No: Resolution 17-128

RESOLUTION 17-128

RESOLUTION AMENDING BOARD OF SUPERVISORS RESOLUTION NO. 10-006 IMPLEMENTING THE TERMS AND CONDITIONS OF EMPLOYMENT FOR UNREPRESENTED MANAGEMENT EMPLOYEES AND EXEMPT ELECTED OFFICIALS

4AB) APPROVAL OF AMENDMENT TO PURCHASING AGENT AGREEMENT PA 17-122 WITH LAND LOGISTICS, INCREASING AGREEMENT AMOUNT BY \$100,000 FOR A NEW TOTAL AGREEMENT AMOUNT OF \$150,000, AND EXTENDING THE TERM OF THE AGREEMENT TO DECEMBER 31, 2018, TO ADDRESS THE NEED FOR ON GOING DEPARTMENT SUPPORT FOR AN INTERIM DIRECTOR – SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

Enactment No: Agreement 17-107

4AC) APPROVAL OF AMENDMENT TO AGREEMENT PA 17 103 WITH COMMUNITY DEVELOPMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$150,000, TO PROVIDE CONTINUED SUPPORT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FROM JUNE 30, 2017 TO JUNE 30, 2019 – SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

Enactment No: Agreement 17-108

4AD) ADOPTION OF RESOLUTION AUTHORIZING THE DIRECTOR OF EMERGENCY SERVICES, ASSISTANT DIRECTOR OF EMERGENCY SERVICES, AND/OR ASSISTANT CHIEF EXECUTIVE OFFICER TO EXECUTE FOR, AND ON BEHALF OF, MENDOCINO COUNTY ANY ACTIONS NECESSARY FOR ADMINISTRATION OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT 2019 - SPONSOR: SHERIFF-CORONER

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-129

RESOLUTION 17-129

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO ALLOW THE DIRECTOR OF EMERGENCY SERVICES, ASSISTANT DIRECTOR OF EMERGENCY SERVICES, AND/OR ASSISTANT CHIEF EXECUTIVE OFFICER TO EXECUTE FOR, AND ON BEHALF OF, MENDOCINO COUNTY ANY ACTIONS NECESSARY FOR THE ADMINISTRATION OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT

4AE) APPROVAL OF AGREEMENT WITH REGIONAL PATHOLOGY AND AUTOPSY SERVICES, INC. IN THE AMOUNT OF \$900,000 ANNUALLY FOR FORENSIC PATHOLOGY AUTOPSY AND RELATED SERVICES FOR FISCAL YEARS 2017 -20 – SPONSOR: SHERIFF-CORONER

Approved;

Enactment No: Agreement 17-109

4AF) APPROVAL OF FOURTH AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT 12 093 WITH BI INC. (GEO GROUP INC.) TO PROVIDE ELECTRONIC MONITORING SERVICES FOR THE MENDOCINO COUNTY JAIL IN THE AMOUNT OF \$240,000 FOR FISCAL YEAR 2017-18 - SPONSOR: SHERIFF-CORONER

Approved;

Enactment No: Agreement 12-093-A1

4AG) RATIFICATION OF SUBMISSION OF 2017-18 APPLICATION FOR DOMESTIC CANNABIS ERADICATION SUPPRESSION PROGRAM FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE DRUG ENFORCEMENT AGENCY - SPONSOR: SHERIFF-CORONER

Approved;

4AH) RATIFICATION OF SUBMISSION OF 2017-18 APPLICATION FOR U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM FISCAL YEAR 2017 LOCAL SOLICITATION APPLICATION IN THE AMOUNT OF \$22,977 - SPONSOR: SHERIFF-CORONER

Approved;

4AI) ADOPTION OF RESOLUTION AUTHORIZING MENDOCINO COUNTY DEPARTMENT OF TRANSPORTATION TO ENTER INTO A CONTRACT TO RECEIVE CALIFORNIA DEPARTMENT OF TRANSPORTATION SUSTAINABLE COMMUNITY BASED TRANSPORTATION PLANNING GRANT FUNDS IN THE AMOUNT OF \$170,500 FOR THE “ORCHARD AVENUE EXTENSION FEASIBILITY STUDY” (UKIAH AREA) – SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-130

RESOLUTION 17-130

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING MENDOCINO COUNTY DEPARTMENT OF TRANSPORTATION TO ENTER INTO A CONTRACT TO RECEIVE CALIFORNIA DEPARTMENT OF TRANSPORTATION SUSTAINABLE COMMUNITY-BASED TRANSPORTATION PLANNING GRANT FUNDS FOR THE “ORCHARD AVENUE EXTENSION FEASIBILITY STUDY” (UKIAH AREA)

4AJ) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 170014, PROFESSIONAL SERVICES AGREEMENT WITH STANTEC CONSULTING SERVICES, INC., IN THE AMOUNT OF \$133,359 FOR VEGETATION MONITORING AND MAINTENANCE FOR THE MOORE STREET BRIDGE OVER THE RUSSIAN RIVER, ON MOORE STREET, COUNTY ROAD 229B, MILEPOST 0.45 (CALPELLA AREA) – SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Agreement 17-110, Resolution 17-131

RESOLUTION 17-131

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 170014, PROFESSIONAL SERVICES AGREEMENT WITH STANTEC CONSULTING SERVICES, INC., IN THE AMOUNT OF \$133,359 FOR VEGETATION MONITORING AND MAINTENANCE FOR THE MOORE STREET BRIDGE OVER THE RUSSIAN RIVER, MOORE STREET, COUNTY ROAD 229B, MILEPOST 0.45, AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ANY AND ALL AMENDMENTS TO THE AGREEMENT NOT EXCEEDING \$15,000 (CALPELLA AREA)

4AK) ADOPTION OF RESOLUTION APPROVING AMENDMENT NUMBER 4 TO BOARD OF SUPERVISORS AGREEMENT NUMBER 12 034/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 110118, PROFESSIONAL SERVICES AGREEMENT WITH GHD, INC., IN THE AMOUNT OF \$157,727 FOR THE REPLACEMENT OF THE MILL CREEK BRIDGE ON HILL ROAD, COUNTY ROAD 327B (COVELO AREA) – SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Agreement 12-034-A4, Resolution 17-132

RESOLUTION 17-132

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NUMBER 4 TO BOARD OF SUPERVISORS AGREEMENT NUMBER 12-034/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 110118, PROFESSIONAL SERVICES AGREEMENT WITH GHD INC., IN THE AMOUNT OF \$157,727 FOR THE REPLACEMENT OF THE MILL CREEK BRIDGE ON HILL ROAD, COUNTY ROAD 327B (COVELO AREA) (AGREEMENT NO. 12-032-A4)

4AL) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 170005, PROFESSIONAL SERVICES AGREEMENT WITH SHN CONSULTING ENGINEERS & GEOLOGISTS, INC., IN THE AMOUNT OF \$120,400 FOR VEGETATION MONITORING AND MAINTENANCE FOR THE MUIR MILL ROAD BRIDGE OVER BAECHEL CREEK, ON MUIR MILL ROAD, COUNTY ROAD 301C, MILEPOST 2.07 (WILLITS AREA) – SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Agreement 17-111, Resolution 17-133

RESOLUTION 17-133

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 170005, PROFESSIONAL SERVICES AGREEMENT WITH SHN CONSULTING ENGINEERS & GEOLOGISTS, INC., IN THE AMOUNT OF \$120,400 FOR VEGETATION MONITORING AND MAINTENANCE FOR THE MUIR MILL ROAD BRIDGE OVER BAECHEL CREEK, ON MUIR MILL ROAD, COUNTY ROAD 301C, MILEPOST 2.07, AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ANY AND ALL AMENDMENTS TO THE AGREEMENT NOT EXCEEDING \$15,000 (WILLITS AREA)

4AM) ADOPTION OF ORDINANCE AMENDING SECTION 15.20.030 OF THE MENDOCINO COUNTY CODE PERMIT REQUIRED FOR CERTAIN CONSTRUCTION, ADDING INSURANCE REQUIREMENTS FOR ENCROACHMENT PERMITS AND CLARIFYING TYPES OF CONSTRUCTION REQUIRING A PERMIT (COUNTYWIDE) – SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4393

ORDINANCE 4393

ORDINANCE AMENDING SECTION 15.20.030 OF THE MENDOCINO COUNTY CODE – PERMIT REQUIRED FOR CERTAIN CONSTRUCTION, ADDING INSURANCE REQUIREMENTS FOR ENCROACHMENT PERMITS AND CLARIFYING TYPES OF CONSTRUCTION REQUIRING A PERMIT (COUNTYWIDE)

4AN) ADOPTION OF RESOLUTION AUTHORIZING DEPARTMENT OF TRANSPORTATION TO AWARD AN AMOUNT GREATER THAN PREVIOUSLY AUTHORIZED; PREVIOUSLY AUTHORIZED ESTIMATE OF \$193,000, INCREASED TO \$247,459, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 160089 TO CONSTRUCT THE HEARST WILLITS ROAD CULVERT REPLACEMENT (WILLITS AREA) – SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-134

RESOLUTION 17-134

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING DEPARTMENT OF TRANSPORTATION TO AWARD, FOR AN AMOUNT GREATER THAN PREVIOUSLY AUTHORIZED, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 160089 TO CONSTRUCT THE HEARST WILLITS ROAD CULVERT REPLACEMENT (WILLITS AREA)

4AO) APPROVAL OF RESCISSION OF COUNTY POLICY NUMBER 14 “STREET CLOSURE” AND REPLACEMENT WITH COUNTY POLICY NUMBER 14 “ENCROACHMENT PERMITS” (COUNTYWIDE) – SPONSOR: TRANSPORTATION

Approved;

4AP) ACCEPTANCE OF THE MENDOCINO COUNTY ANNUAL INVESTMENT REPORT, INCLUDING REPORT OF POOLED INVESTMENTS AT JUNE 30, 2017 – SPONSOR: TREASURER-TAX COLLECTOR

Approved.

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION FROM MENDOCINO COUNTY FOOD POLICY COUNCIL ON THEIR MISSION, VISION, GOALS AND PLANS FOR COLLABORATION WITH COUNTY OF MENDOCINO - SPONSOR: HEALTH AND HUMAN SERVICE AGENCY

Presenter/s: Ms. Tarney Sheldon.

Public Comment: Mr. Casey O’Neill.

Board Action: No action taken.

5B) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION AMENDING THE MASTER FEE SCHEDULE REGARDING CANNABIS, INCLUDING, BUT NOT LIMITED TO, THE DEPARTMENT OF AGRICULTURE, EFFECTIVE OCTOBER 12, 2017 - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Kenneth Spain, Administrative Analyst, Executive Office; Ms. Diane Curry, Interim Commissioner, Agriculture; and Ms. Adrienne Thompson, Administrative Services Manager, Planning and Building Services.

Public Comment: Mr. Ron Edwards; Mr. Patrick Sellers; Ms. Susan Tibbon; Mr. Paul Hansbury; Mr. David Drell; Mr. Paul Trouette; Mr. Casey O’Neill; and Ms. Monique Ramirez; Ms. Ellen Drell; and Mr. Randy Johnson, Undersheriff.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Gjerde, IT IS ORDERD that the Board of Supervisors reduces the Cannabis Application Fee for the second application/second cultivation on the same property, by same applicant, to the rate of 20% of the Single Permit Application Fee; and applicable to only Application and Annual Inspection Fees. The motion carried by the following vote:

Aye: 4 – Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde and Supervisor Hamburg.

No: 1 – Supervisor Brown.

Board Action: Upon motion by Supervisor Croskey, seconded by Supervisor Hamburg, IT IS ORDERD that the Board of Supervisors adopts [amended] Resolution amending the Master Fee Schedule regarding cannabis, including, but not limited to, the Department of Agriculture, effective October 12, 2017; and authorizes Chair to sign same. [Amendment: adjust Fee Schedule, reducing Cottage Permit Application Fee to \$496; reduce Cottage Use Property Profile Fee for initial application to \$277; and reduce Annual Permit and Inspection Fee to \$270.] The motion carried by the following vote:

Aye: 4 – Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde and Supervisor Hamburg.

No: 1 – Supervisor Brown.

RESOLUTION NO. 17-135

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS, AMENDING THE MASTER FEE SCHEDULE (APPROVED BY RESOLUTION NO. 17-036), BY CREATING A FEE FOR “CANNABIS PROGRAM-ANNUAL APPLICATION FEE-COTTAGE PERMIT TYPE”

BOARD RECESS: 10:52 A.M. 11:08 A.M.

5C) 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: AGRICULTURE

Presenter/s: Ms. Diane Curry, Interim Commissioner, Agriculture; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: Ms. Isabelle LeMieux.

Board Action: No action taken.

5D) DISCUSSION AND POSSIBLE ACTION REGARDING THE IMPLEMENTATION OF THE MENDOCINO COUNTY CANNABIS CULTIVATION PROGRAM AND POTENTIAL REVISIONS TO THE CANNABIS CULTIVATION ORDINANCE - SPONSOR: COUNTY COUNSEL, AGRICULTURE AND PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Matthew Kiedrowski, Deputy County Counsel; Mr. Michael Oliphant, Senior Building Inspector, Planning and Building Services.

Public Comment: Ms. Monique Ramirez; Mr. Joey Gothelf; Ms. Nikki Lastreto; Mr David Drell; Ms. Julia Dakin; Ms. Isabelle LeMieux; Mr. Swami Chaitanya; Mr. Casey O'Neill; Mr. Patrick Sellers; Ms. Sarah Kincade; Mr. Ron Edwards; Ms. Corinne Powell; Ms. Ellen Drell; Mr. Greg Bixler; Mr. Roger Wheeler; and Mr. Paul Hansbury.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the allowance for a one-year period of non-cultivation only applies to those individuals cultivating in Rangeland, Forestland, and TPZ.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall research “Good Standing” possibilities for those who are in the Cannabis permit process.

Board Directive: GENERAL CONSENSUS OF THE BOARD to allow applicants use of the label "Mendocino County" and for staff investigate options for a program for higher standards.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the Cannabis Working Group shall consider who the local jurisdiction point of contact would be regarding Senate Bill 94 procedures.

LUNCH RECESS: 11:54 A.M.

RECONVENED IN OPEN SESSION: 1:34 P.M.

5E) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ADOPTION OF URGENCY ORDINANCE EXTENDING INTERIM RESTRICTIONS ON THE ESTABLISHMENT OF SHORT TERM/VACATION RENTALS OF RESIDENTIAL PROPERTY PENDING THE STUDY AND CONSIDERATION OF LAND USE AND OTHER REGULATIONS PERTAINING TO SUCH RENTALS - SPONSORS: BOARD OF SUPERVISORS AND COUNTY COUNSEL

Presenter/s: Mr. Matthew Kiedrowski, Deputy County Counsel; Mr. Nash Gonzalez, Interim Director, Planning and Building Services; Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services; and Mr. Jesse Davis, Planner III, Planning and Building Services.

Public Comment: Mr. Olaf Krop; Ms. Carol Krop; Ms. Suzanne Lemley Schein; Mr. Glenn Schein; Mr. Mike Dunbaugh; Mr. Norman de Vall; Mr. Charles Tresca; Ms. Neelam Salman; and Ms. Megan Durbin.

CHAIR MCCOWEN PASSED THE GAVEL TO SUPERVISOR HAMBURG. VICE CHAIR HAMBURG PRESIDING.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, that the Board of Supervisors adopts Urgency Ordinance extending interim restrictions on the establishment of short-term/vacation rentals of residential property pending the study and consideration of land use and other regulations pertaining to such rentals. The motion failed by the following vote:

Aye: 2 – Supervisor McCowen and Supervisor Gjerde.

No: 3 - Supervisor Brown, Supervisor Croskey, and Supervisor Hamburg.

CHAIRMAN MCCOWEN PRESIDING.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall work on a comprehensive Ordinance for short term vacation rentals and other measures to encourage the construction of new, additional housing.

BOARD RECESS: 2:53 P.M. – 3:00 P.M.

5F) DISCUSSION AND POSSIBLE APPROVAL OF AMENDMENT TO AGREEMENT NO. 15 100 WITH NORTHERN CALIFORNIA CONSTRUCTION TRAINING INC. IN THE AMOUNT OF \$64,585, FOR A TOTAL AGREEMENT AMOUNT OF \$240,494.15; EXTENDING THE TERMINATION DATE FROM DECEMBER 31, 2016 TO JUNE 2, 2017 - SPONSOR: PROBATION

Presenter/s: Ms. Katharine L. Elliott, County Counsel; Mr. Kevin Kelley, Interim Chief Probation Officer; Ms. Brina Blanton, Deputy County Counsel; and Ms. Cathy White, Administrative Services Manager, Probation.

Public Comment: Mr. Lee Howard.

Board Directive: GENERAL CONSENSUS OF THE BOARD that this item will be re-visited in Closed Session as soon as possible, with briefing on it provided by County Counsel.

5G) DISCUSSION AND POSSIBLE APPROVAL OF AMENDMENT TO PURCHASING AGENT INSURANCE REIMBURSABLE AGREEMENT 17 36 WITH LIEBERT CASSIDY WHITMORE (LCW), INCREASING THE TOTAL COMPENSATION BY \$300,000 (FROM \$50,000, FOR A NEW AGREEMENT TOTAL OF \$350,000) AND EXTENDING THE TERMINATION DATE FROM JUNE 30, 2017 TO OCTOBER 31, 2017, FOR LITIGATION SERVICES FOR TURNER V. COUNTY OF MENDOCINO - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Alan D. Flora, Assistant Chief Executive Officer.

Public Comment: Mr. Lee Howard.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Croskey, IT IS ORDERED that the Board of Supervisors approves amendment to Purchasing Agent insurance reimbursable Agreement 17-36 with Liebert Cassidy Whitmore (LCW), increasing the total compensation by \$300,000 (from \$50,000, for a new Agreement total of \$350,000) and extending the termination date from June 30, 2017 to October 31, 2017, for litigation services for Turner v. County of Mendocino; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 – Supervisor Brown, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg.

No: 1 – Supervisor McCowen.

Enactment No: Agreement 17-112

5H) TRANSPORTATION DIRECTOR’S REPORT - SPONSOR: TRANSPORTATION

Presenter/s: Supervisor McCowen.

Public Comment: None.

Board Action: No action taken.

5I) CHIEF EXECUTIVE OFFICER’S REPORT - SPONSOR: EXECUTIVE OFFICE

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

Public Comment: None.

Board Action: No action taken.

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

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

Presenter/s: Board of Supervisors

Public Comment: None.

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~~

AGENDA ITEM NO. 10 – COMMUNICATIONS

- (10a) State Water Resources Control Board - Revised Extension of Public Comment Period for Statewide Dredged or Fill Procedure. For more information, please contact Ms. Ana Maria Saenz at (916) 341-5480.
- 10b) Sonoma County Water Agency - Russian River Hydrologic Status Report August 18 - August 24, 2017. For more information, please contact Mr. John Mendoza at (707) 547-1929.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:42 P.M.

Attest: Karla Van Hagen
Deputy Clerk of the Board II

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