

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Chair

VACANT
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



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MENDOCINO COUNTY
BOARD OF SUPERVISORS

BOARD OF SUPERVISORS AGENDA

REGULAR MEETING

March 07, 2017 - 9:00 AM

BOARD CHAMBERS, ROOM 1070
COUNTY ADMINISTRATION CENTER

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.)**a) Roll Call****b) 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.

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.

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) [Noticed Public Hearing and Potential Adoption of an Ordinance Adopting by Reference the 2016 California Building Standards Code and Proposed Local Amendments to Title 18 of the Mendocino County Code, Adopting Local Findings, and Making other Technical and Administrative Revisions to Title 18](#)
[\(Sponsor: Planning and Building Services\)](#)

Recommended Action:

Adopt the Ordinance as amended, adopting by reference the 2016 California Building Standards Code with proposed local amendments to Title 18 of the Mendocino County Code, adopting local findings, and making other technical and administrative revisions to Title 18; and authorize Chair to sign same.

- Attachments:** 1.BOS Memo Bldg Code Update redline
2.Building Code Ordinance Final
3.ORDINANCE SUMMARY - clean
Affidavit of Publication

- 5b) [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](#)
[\(Sponsor: Planning and Building Services\)](#)

Recommended Action:

Accept the Mendocino Town LCPA status report and, as necessary, direct Planning and Building Services to respond to Coastal Commission comments regarding the LCPA.

- 5c) [Transportation Director's Report](#)
[\(Sponsor: Transportation\)](#)

- Attachments:** Directors Report

- 5d) [Discussion and Possible Action Regarding Mendocino County Code Section 15.20 "Encroachment Upon County Highways" and Possible Encroachment Permit Policy Considerations](#)
[\(Sponsor: Transportation\)](#)

Recommended Action:

Approve possible Encroachment Permit Policy considerations regarding Mendocino County Code Section 15.20 "Encroachment Upon County Highways."

5e) Presentation of FY 2016-17 2nd Quarter Mid-Year Budget Report and Adoption of Resolution Amending the FY 2016-17 Adopted Budget (Sponsor: Executive Office)

Recommended Action:

Accept the FY 2016-17 2nd Quarter Budget Report; adopt Resolution amending the FY 2016-17 Adopted Budget; and authorize Chair to sign same.

Attachments: FY 16-17 Mid-Year Report w Attachments
RESOLUTION FY 2016-17 2nd Qtr Budget Adjustments
Copy of Mid Year Adjustments for Report

5f) Chief Executive Officer's Report (Sponsor: Executive Office)
(<http://www.co.mendocino.ca.us/administration/CEOReports.htm>)

5g) 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.

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 54956.9(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 (The Mendocino County Board of Supervisors will meet concurrently as the Air Quality Management District Board of Directors in consideration of this item)

9b) 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. SCUUK-CVG-16-67314 (The Mendocino County Board of Supervisors will meet concurrently as the Air Quality Management District Board of Directors in consideration of this item)

9c) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Friends of Outlook Creek v. Mendocino County Air Quality Management District. Mendocino County Superior Court Case No. SCUUK-CVG-16-67449 (The Mendocino County Board of Supervisors will meet concurrently as the Air Quality Management District Board of Directors in consideration of this item)

9d) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Friends of Outlook Creek v. Mendocino County Air Quality Management District. Mendocino County Superior Court Case No. A148508 (The Mendocino County Board of Supervisors will meet concurrently as the Air Quality Management District Board of Directors in consideration of this item)

9e) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Friends of Outlook Creek v. County of Mendocino. Mendocino County Superior Court Case No. A147499

9f) Pursuant to Government Code Section 54956.9(c) – Conference with Legal Counsel – Initiation of Litigation: One Case

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.

10a) Department of California Highway Patrol- Pursuant to Health and Safety Code Section 25180.7 (Proposition 65) a Report Documenting Information Regarding Illegal Discharge (or Threatened Illegal Discharge) of Hazardous Waste (for more information please contact Sergeant Tamera McCanless at 707-923-2155)

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 John Mabery](#)**

Attachments: [Notice of Claim - Maberv.pdf](#)

4b) [Claim of Fred Shofner](#)

Attachments: [Notice of Claim - Shofner.pdf](#)

4c) [Claim of Lauren Curlee](#)

Attachments: [Notice of Claim - Curlee.pdf](#)

4d) [Claim of Jay Ferrick](#)

Attachments: [Notice of Claim - Ferrick.pdf](#)

4e) [Claim of Lorraine Mathews](#)

Attachments: [Notice of Claim - Mathews.pdf](#)

ITEMS RECOMMENDED FOR APPROVAL:

MINUTES**4f) [January 23, 2017 Joint Meeting with the Behavioral Health Advisory Board](#)**

Attachments: [01-23-17 Minutes - DRAFT](#)

4g) [January 24, 2017 Regular Board Meeting](#)

Attachments: [01-24-17 Minutes - DRAFT](#)

4h) [January 27, 2017 Board of Supervisors Workshop](#)

Attachments: [01-27-17 Minutes - DRAFT](#)

APPOINTMENTS

4i) [Approval of Recommended Appointments/Reappointments](#)Recommended Action:

Approve the following appointments/reappointments: Hal Wagenet, North Coast Railroad Authority, Mendocino Representative; Dan Potash, Mendocino Historical Review Board, Member; John Simonich, Mendocino Historical Review Board, Member; Jeffrey Warner, Community Development Commission, 4th District Representative; and Robert Boyd, Law Library Board of Trustees, Trustee.

Attachments: [Appointment Memo](#)
[Simonich](#)
[Boyd](#)

EXECUTIVE OFFICE

4j) [Approval of Letters of Support for Senate Bill 1\(Beall\) and Assembly Bill 1\(Frazier\) to Provide Much-Needed New Statewide Investment to Maintain and Improve Local Streets, Roads, and State Highways - Transportation Funding Package](#)Recommended Action:

Approve letters of support for Senate Bill 1(Beall) and Assembly Bill 1(Frazier) to provide much-needed new statewide investment to maintain and improve local streets, roads, and state highways - Transportation Funding Package; and authorize Chair to sign same.

Attachments: [2017 Transportation Letter - McGuire](#)
[2017 Transportation Letter - Wood](#)

4k) [Adoption of Proclamation Recognizing March 2017 as American Red Cross Month in Mendocino County](#)Recommended Action:

Adopt Proclamation recognizing March 2017 as American Red Cross Month in Mendocino County; and authorize Chair to sign same.

Attachments: [Red Cross Month](#)

BOARD OF SUPERVISORS

4l) Approval of Letter of Support for Assembly Bill 174 (Bigelow) - California Transportation Commission Membership

Recommended Action:

Approve letter of support for Assembly Bill 174 (Bigelow) - California Transportation Commission Membership; and authorize Chair to sign same.

Attachments: AB 174 - Support

COUNTY COUNSEL

4m) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Mendocino County Office of Education 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 Mendocino County Office of Education with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: BOS Resolution
MCOE Resolution
Impact Report - MCOE
Notice Letter

4n) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Manchester Union Elementary School 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 Manchester Union Elementary School District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: BOS Resolution
SD Resolution
Impact Report - Manchester
Notice Letter

4o) [Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Southern Humboldt Unified School 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 Southern Humboldt Unified School District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: BOS Resolution
SD Resolution
Impact Report - Southern Humboldt
Notice Letter

HEALTH AND HUMAN SERVICES AGENCY

4p) [Approval of Revenue Agreement with North Coast Drivers for Multiple Offender Drinking Driver Program Services Not to Exceed \\$209,741 for Fiscal Year \(FY\) 2016-17](#)

Recommended Action:

Approve revenue Agreement with North Coast Drivers for Multiple Offender Drinking Driver Program services not to exceed \$209,741 for FY 2016-17; and authorize Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not affect the annual maximum revenue amount; and authorize Chair to sign same.

Attachments: BOS Agreement
Exception to Bid

4q) [Approval of Amendment to Agreement No. BOS 16-072 with Redwood Community Services, Inc. in the Amount of \\$277,000 to Provide Housing and Services to Assist Emancipated Foster and Probation Youth for Health and Human Services Agency \(HHSA\) Family and Children's Services \(FCS\) in Fiscal Year 2016-17](#)

Recommended Action:

Approve amendment to Agreement No. BOS 16-072 with Redwood Community Services, Inc. in the amount of \$277,000, to provide housing and services to assist emancipated foster and probation youth for HHSA FCS in FY 16-17; authorize the HHSA Director or designee to sign any further amendments to the Agreement that do not affect the annual maximum amount; and authorize Chair to sign same.

Attachments: BOS Agreement

- 4r) [Ratification of Submission of Application for Funds Available from California Department of Public Health \(CDPH\), Safe and Active Communities Branch in the Amount of \\$52,500 to Provide Support to the Opioid Abuse Prevention Coalition \(Safe Rx Mendocino\) from June 1, 2017 to February 28, 2019; and Authorization for Health and Human Services Agency \(HHS\) Director/Designee to Sign Agreement on Behalf of Board, if Funding is Granted](#)

Recommended Action:

Ratify submission of application for funds available from CDPH, Safe and Active Communities Branch in the amount of \$52,500 to provide support to the Opioid Abuse Prevention Coalition (Safe Rx Mendocino) from June 1, 2017 to February 28, 2019; and authorize HHS Director/Designee to sign agreement and any future amendments that do not affect the maximum amount on behalf of Board, if funding is granted.

- Attachments: [CDPH, Safe and Active Communities Branch, Grant - RFA Release](#)
[CDPH, Safe and Active Communities Branch, Grant - RFA.pdf](#)
[CDPH, Safe and Active Communities Branch, Grant - Cover and N](#)
[CDPH, Safe and Active Communities Branch, Grant - Scope of Work](#)
[CDPH, Safe and Active Communities Branch, Grant - Budget.pdf](#)

- 4s) [Approval of Agreement with American Guard Services, Inc. in the Amount of \\$93,312.00 for Fiscal Year \(FY\) 2016-17 for Security Guard Services at Mendocino County Health and Human Services Agency \(HHS\); Authorize HHS Director to Sign Any Renewals During FY 2017-18 and 2018-19 or Amendments that do not Affect the Annual Maximum Amount](#)

Recommended Action:

Approve Agreement with American Guard Services, Inc. in the Amount of \$93,312.00 for Fiscal Year 2016-17 for Security Guard Services at Mendocino County Health and Human Services Agency; authorize HHS Director to sign any renewals during FY 2017-18 and 2018-19 or amendments that do not affect the annual maximum amount; and authorize Chair to sign same.

- Attachments: [BOS Agreement- American Guard Services](#)

- 4t) [Adoption of Ordinance Amending Chapter 9.05 of Mendocino County Code Titled, "Emergency Medical Response"](#)

Recommended Action:

Adopt Ordinance amending Mendocino County Code Section 9.05 titled, "Emergency Medical Response;" and authorize Chair to sign same.

- Attachments: [Mendocino EMS Ordinance](#)
[EMS Ordinance Summary](#)
[Affidavit of Publication](#)

HUMAN RESOURCES

- 4u) [Adoption of Resolution Adopting Changes to the Position Allocation Table as Follows: Health and Human Services Agency \(HHS\) - Move One \(1\) Full Time Equivalent \(FTE\) Compliance Manager from Budget Unit \(BU\) 5020 to BU 4050; BU 5010-Delete One \(1\) FTE Department Analyst and Add One \(1\) FTE Senior Program Specialist](#)

Recommended Action:

Adopt Resolution adopting changes to the Position Allocation Table as follows, move one (1) FTE Compliance Manager from BU 5020 to Budget Unit 4050; BU 5010-delete one (1) FTE Department Analyst and add one (1) FTE Senior Program Specialist; and authorize the Chair to sign same.

Attachments: 03-07-17 HR- PAT Changes HHS- BU Move reso-im

- 4v) [Adoption of Resolution Authorizing Adoption of Changes to the Position Allocation Table as Follows: Library, Budget Unit 6110 - Delete One \(1\) Full-Time Equivalent \(FTE\) Senior Library Technician; Add One \(1\) FTE Department Application Specialist; and Authorize the Reclassification and Salary Adjustment of the Affected Incumbent](#)

Recommended Action:

Adopt Resolution authorizing changes to the Position Allocation Table as follows: Library, Budget Unit 6110 - delete one (1) full-time equivalent (FTE) Senior Library Technician; add one (1) FTE Department Application Specialist; authorize the reclassification and salary adjustment of the affected incumbent; and authorize the Chair to sign same.

Attachments: 3.7.17 HR - PAT Library - RESO LM

PLANNING AND BUILDING SERVICES

- 4w) [Approval of Private Road Name Petition RN 2016-0001, Pursuant to Chapter 18.16 of the Mendocino County Code And Officially Determining the Private End Route of Oak Knoll Road](#)

Recommended Action:

Approve Private Road Name Petition RN 2016-0001, pursuant to Chapter 18.16 of the Mendocino County Code and officially determine the private end route of Oak Knoll Road.

Attachments:

2. RN 2016-0001 Updated Memo
3. RN 2016-0001 Parcels Served (scaled)
4. RN 2016-0001 Location (scaled)

- 4x) [Adoption of Resolution Amending the Membership Criteria for the Hopland Municipal Advisory Council \(MAC\) to Allow Appointments of Registered Voters Who Reside Within, Work or Conduct Business Within, or Own Property Within the Hopland MAC Boundaries](#)

Recommended Action:

Adopt Resolution amending the Membership criteria for the Hopland Municipal Advisory Council (MAC) to allow appointments of registered voters who reside within, work or conduct business within, or own property within the Hopland MAC boundaries; and authorize Chair to sign same.

Attachments: [03-07-17 Hopland MAC RESO FINAL](#)
[Exh A-Hopland MAC Map Boundaries](#)
[Reso 16-007](#)

SHERIFF-CORONER

- 4y) [Approval of Revenue Agreement No. 2017-28 with the U.S. Department of Justice Drug Enforcement Administration in the Amount of \\$70,000 for the Eradication and Suppression of Illicit Cannabis on Federal Lands for the period term of October 1, 2016 to September 30, 2017](#)

Recommended Action:

Approve revenue Agreement No. 2017-28 with the U.S. Department of Justice Drug Enforcement Administration in the amount of \$70,000 for the eradication and suppression of illicit cannabis on Federal lands for the period term of October 1, 2016 to September 30, 2017; authorize the Sheriff to sign any future amendments to the Agreement that do not increase the annual maximum amount of the Agreement; and authorize Chair to sign same.

Attachments: [US DOJ DEA DCESP 2017 Signed Agreement by Co](#)

TRANSPORTATION

- 4z) [Adoption of Resolution Establishing the South Coast Landfill Closure Account as the Financial Assurance Mechanism for Closure of the South Coast Landfill \(Gualala Area\)](#)

Recommended Action:

Adopt Resolution establishing the South Coast Landfill Closure Account as the financial assurance mechanism for closure of the South Coast Landfill (Gualala Area); and authorize Chair to sign same.

Attachments: [Letter - Enterprise Fund](#)
[Reso - Enterprise Fund](#)

4aa Adoption of Resolution Declaring Continuation of a Local Emergency
) Related to the January, February, and March 2017 Winter Storms
Event (County Wide)

Recommended Action:

Adopt Resolution declaring continuation of a local emergency related to the January, February, and March 2017 Winter Storms Event (County Wide); and authorize Chair to sign same.

Attachments: Resolution - March 2017 Continuation of Emergency

TREASURER-TAX COLLECTOR

- 4bb [Approval to Discharge from Accountability the Attached List of Cases Comprised of Delinquent Fines, Penalties, Fees, and Assessments Determined to be Non-Collectible Due to Age of Debt, Debtor Inability to Pay, or Lack of Information Available to Locate Debtor and Where the Cost of Recovery Exceeds That of Collection](#)
)

Recommended Action:

Approve the discharge of accountability, for the attached list of cases comprised of delinquent fines, fees, penalties, and assessments determined to be non-collectible due to age of debt, debtor inability to pay, or lack of identifying information and where the cost of recovery exceeds that of collection.

Attachments: [Write Off Report.pdf](#)

- 4cc) [Adoption of Resolution Approving the Request to Sell Tax-Defaulted Property Subject to the Power of Sale](#)

Recommended Action:

Adopt Resolution approving the request to sell tax-defaulted property subject to the power of sale; and authorize Chair to sign same.

Attachments: [RESOLUTION - PUBLIC AUCTION.doc](#)
[AUCTION LIST.doc](#)

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 provide 10 copies to Executive Office staff, located in the Administration Center, Room 1010.

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.co.mendocino.ca.us/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: www.co.mendocino.ca.us/bos/meetings/publishedmeetings.htm under the "Live Video" tab, or visit the County YouTube channel. For technical assistance, please contact the Executive Office at (707) 463-4441.

Please reference the departmental website to obtain additional resource information for the Board of Supervisors: www.co.mendocino.ca.us/bos.

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