

CARRE BROWN
1st District
Supervisor
Chair

JOHN MCCOWEN
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor
Vice-Chair

DAN GJERDE
4th District
Supervisor

TED WILLIAMS
5th District
Supervisor



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MENDOCINO COUNTY
BOARD OF SUPERVISORS
BOARD OF SUPERVISORS AGENDA

REGULAR MEETING
April 23, 2019 - 9:00 AM
BOARD CHAMBERS, ROOM 1070
COUNTY ADMINISTRATION CENTER

TIMED ITEMS

Please note that all times provided are considered approximate

1:30 P.M. Discussion and Possible Action Including Direction to Staff Regarding Ordinance Amendment No. OA_2019.0001, which Proposes to Amend the Mendocino County Local Coastal Program, to by Adding Two New Chapters to the Coastal Zoning Code Regulating: (1) Coastal Cannabis Cultivation and (2) Coastal Cannabis Facilities (refer to agenda item 5e))

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.

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) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Resolution Amending Exhibit X - Master Fee Schedule Effective July 1, 2019, for Cultural Services Agency, Environmental Health, Department of Planning & Building Services and the Cannabis Management Unit and Adopting Fees for Behavioral Health and Recovery Services (BHRS) to Immediately Implement New Fees as Proposed Pursuant to the California State Plan for Short Doyle/Medi-Cal services
(Sponsor: Executive Office)**

Recommended Action:

Adopt Resolution amending Exhibit X - Master Fee Schedule effective July 1, 2019, for the Cultural Services Agency, Environmental Health, Department of Planning & Building Services and the Cannabis Management Unit; and adopt fees for Behavioral Health and Recovery Services to immediately implement new fees as proposed pursuant to the California State Plan for Short Doyle/Medi-Cal services; and authorize Chair to sign same.

- Attachments:** [Attachment #1 - Resolution for Adoption](#)
[Attachment #2 CEO Memo](#)
[Attachment #3 - BHRS Memo](#)
[Attachment #4 - Proposed Fee Changes](#)
[Attachment #5 - Cultural Services Agency \(Museum & Parks\) Fee](#)
[Attachment #6 - All Cannabis Fee Calculation Worksheets](#)
[Attachment #6 - REVISED - All Cannabis Fee Calculation Worksheets](#)
[Attachment #7 - Exhibit X - Master Fee Schedule](#)
[Affadavit of Publication](#)
[04-23-19 Edwards Correspondence](#)
[04-23-19 Wordhouse Correspondence](#)
[04-23-19 Ekstrand Correspondence](#)

- 5b) Discussion and Possible Action Regarding Informational Presentation by the Mendocino Fire Safe Council (MCFSC)
(Sponsor: Planning and Building Services)**

Recommended Action:

Accept the informational presentation by MCFSC; and provide direction as appropriate.

- Attachments:** [MCFSC BOS Presentation REVISED](#)

**5c) Discussion and Possible Action Regarding Presentation of the Department of Planning and Building Services Development Activity Report for the Month of March, 2019
(Sponsor: Planning and Building Services)**

Recommended Action:

Accept the Development Activity Report from Planning and Building Services for the month of March, 2019.

- Attachments:** [1.PBS Monthly Rpt](#)
 [2.Monthly activity SQL report search criteria](#)
 [3. PBS Agendas](#)

**5d) Discussion and Possible Action Including Approval of an Agreement in the Amount of \$350,000 with Toshiba Business Solutions (Toshiba) for the Acquisition of Multifunction Copier Devices and Maintenance Services
(Sponsor: Executive Office)**

Recommended Action:

Approval of an Agreement with Toshiba Business Solutions (Toshiba) in the amount of \$350,000 for the acquisition of multifunction copier devices and maintenance services (based on the Region 4 cooperative/competitively awarded contract); amend the County's Fixed Asset List with the associated components as detailed in Exhibit E of the Agreement; authorize the Purchasing Agent to execute any and all necessary documents related to the transaction; and authorize the Purchasing Agent to sign any future amendments to the Agreement that do not alter the fiscal aspects of the Toshiba Master Copier Contract.

- Attachments:** [04-23-19 Memo](#)
 [Toshiba agreement](#)

- 5e) Discussion and Possible Action Including Direction to Staff Regarding Ordinance Amendment No. OA_2019-0001, which Proposes to Amend the Mendocino County Local Coastal Program, by Adding Two New Chapters to the Coastal Zoning Code Regulating: (1) Coastal Cannabis Cultivation and (2) Coastal Cannabis Facilities
(Sponsors: Planning and Building Services and County Counsel)**

Recommended Action:

Provide direction to staff regarding Ordinance Amendment No. OA_2019-0001, which proposes to amend the Mendocino County Local Coastal Program, by adding two new chapters to the Coastal Zoning Code regulating: (1) Coastal Cannabis Cultivation and (2) Coastal Cannabis Facilities.

Attachments: Staff Memo

- 3. Chapter 20.537 - Coastal Cannabis Cultivation Sites - Draft 4.23.19
- 4. Chapter 20.538 - Coastal Cannabis Facilities - Draft 4.23.19
- 04-22-19 Bvars Correspondence
- 04-23-19 Thilman Correspondence

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

Recommended Action:

Accept the Chief Executive Officer's report.

- 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.

Attachments: Fact Sheet AB 437 -4.15.19
Kern County

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 - Conference with Legal Counsel - Anticipated Litigation - 1 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.

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 APPROVAL:

APPOINTMENTS

4a) Approval of Recommended Appointments

Recommended Action:

Approve the following appointments:

- 1. Ms. Tiffany Gibson, Member, Hopland Municipal Advisory Council; and*
- 2. Ms. Sherrie Ebyam, District 3 Member, Civil Service Commission.*

Attachments: [SherrieEbvamredacted](#)
[TiffanyGibsonredacted](#)

MINUTES

4b) Approval of Minutes of March 26, 2019, Regular Meeting

Recommended Action:

Approve minutes of the March 26, 2019, regular meeting.

Attachments: [03-26-19 Minutes - DRAFT](#)

4c) Approval of Minutes of April 9, 2019, Regular Meeting

Recommended Action:

Approve minutes of the April 9, 2019, regular meeting.

Attachments: [04-09-19 Minutes - DRAFT](#)

4d) Approval of Minutes of April 16, 2019, Regular Meeting

Recommended Action:

Approve minutes of the April 16, 2019, regular meeting.

Attachments: [04-16-19 Minutes - DRAFT](#)

BOARD OF SUPERVISORS

4e) Adoption of Resolution Granting Permission for the Mendocino County Fair and Apple Show to Hold a Parade on Sunday, September 15, 2019, Between 12:00 p.m. and 1:30 p.m. along Highway 128 in Boonville (Sponsor: Supervisor Williams)

Recommended Action:

Adopt Resolution granting permission for the Mendocino County Fair and Apple Show to hold a parade on Sunday, September 15, 2019, between 12:00 p.m. and 1:30 p.m. along Highway 128 in Boonville; authorize Chair to sign same; and authorize the Clerk of the Board to forward copies of the Resolution to the District Permit Coordinator, Caltrans (Eureka), the California Highway Patrol, and the Fair Manager.

Attachments: [Resolution](#)

4f) Adoption of Resolution Granting Permission for Covelo FFA to Hold a Field Day Parade in Covelo on Saturday, May 11, 2019, Between 8:45 a.m. and 10:30 a.m. (Sponsor: Supervisor Haschak)

Recommended Action:

Adopt Resolution granting permission for Covelo FFA to hold a Field Day Parade in Covelo on Saturday, May 11, 2019, between 8:45 a.m. and 10:30 a.m.; authorize Chair to sign same; and direct the Clerk of the Board to forward copies of the Resolution to the Caltrans District Permit Coordinator, Caltrans (Eureka), the California Highway Patrol, and the Agriculture Department at Round Valley High School.

Attachments: [Resolution](#)

- 4g) Approval of Transmission of Comment Letter to the Naval Facilities Engineering Command Northwest Regarding Opposition to Sonar Testing Off the Coast of Mendocino County Included in the Proposed Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) (Sponsor: Supervisor Haschak)**

Recommended Action:

Approval transmission of comment letter to the Naval Facilities Engineering Command Northwest regarding opposition to sonar testing off the Coast of Mendocino County included in the Proposed Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS); and authorize Chair to sign same.

Attachments: [Letter to Navv Regarding Sonar Use](#)

- 4h) Adoption of Proclamation Recognizing April 28, 2019, as Workers' Memorial Day in Mendocino County (Sponsors: Supervisors Brown and McCowen)**

Recommended Action:

Adopt Proclamation recognizing April 28, 2019, as Workers' Memorial Day in Mendocino County; and authorize Chair to sign same.

Attachments: [Proclamation](#)

COUNTY COUNSEL

- 4i) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Elk County Water 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 Elk County Water 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 re Election Consolidation](#)
[Notice Letter to all Districts - signed](#)
[Impact Report Elk County Water District](#)

DISTRICT ATTORNEY

- 4j) Approval of Purchase of Advexure Aerial Drone in the Amount of \$26,761.04 with an Equal Share of Cost between California State Association of Counties Excess Insurance Authority Subsidy Fund and DA Asset Forfeiture Fund 2110-760220; Approval of Associated Appropriation Transfer to District Attorney Budget Unit 2070 Revenue Accounts, Line Items 823310 in the Amount of \$13,380.52 and 826390 in the Amount of \$13,380.52, and to Line Item 864370 in the Amount of \$26,761.04; and Addition of Item to County's List of Fixed Assets**

Recommended Action:

Approval of purchase of Advexure Aerial Drone in the Amount of \$26,761.04 with an equal share of cost between California State Association of Counties Excess Insurance Authority Subsidy Fund and DA Asset Forfeiture Fund 2110-760220; approval of associated Appropriation Transfer to District Attorney Budget Unit 2070 Revenue Accounts, Line Items 823310 in the amount of \$13,380.52 and 826390 in the amount of \$13,380.52, and to Line Item 864370 in the amount of \$26,761.04; and addition of Item to County's list of Fixed Assets

Attachments: [Drone Purchase Exception to Bid](#)
[Request-for-Appropriation-of-Funds Drone Purchase](#)

EXECUTIVE OFFICE

- 4k) Adoption of Resolution Declaring the Continuation of a Local Emergency Related To the Mendocino Complex Fire**

Recommended Action:

Adopt Resolution declaring the continuation of a Local Emergency related to the Mendocino Complex Fire; and authorize Chair to sign same.

Attachments: [Resolution](#)

- 4l) Adoption of Resolution Declaring the Continuation of a Local Emergency Related to the Redwood Complex Fire**

Recommended Action:

Adopt Resolution declaring the continuation of a Local Emergency related to the Redwood Complex Fire; and authorize Chair to sign same.

Attachments: [Resolution](#)

- 4m) Authorization to Purchase and Add IBM Message Switch in the Amount of \$11,500 to the County's Fixed Asset List**

Recommended Action:

Authorize the purchase and addition of IBM message switch in the amount of \$11,500 to the County's fixed asset list.

Attachments: [IBM Message Switch Quote](#)

HEALTH AND HUMAN SERVICES AGENCY

- 4n) Approval of Retroactive Agreement with FIRST 5 Mendocino in the Amount of \$120,000 to Provide the Positive Parenting Program that Focuses on Strengthening Positive Parenting Communication and Managing Childhood Behavioral Issues and Meets Mental Health Services Act-Prevention and Early Intervention Criteria for the Period of January 1, 2019 Through June 30, 2020**

Recommended Action:

Approve retroactive Agreement with FIRST 5 Mendocino in the amount of \$120,000 to provide the Positive Parenting Program focusing on strengthening positive parenting communication and managing childhood behavioral issues and meets Mental Health Services Act-Prevention and Early Intervention criteria for the period of January 1, 2019 through June 30, 2020; authorize the Health and Human Services Agency Director or designee to sign any future amendments that do not exceed the maximum amount; and authorize Chair to sign same.

Attachments: [FIRST 5 Mendocino](#)

- 4o) Adoption of Proclamation Recognizing April 2019 as Alcohol Awareness Month in Mendocino County**

Recommended Action:

Adopt Proclamation recognizing April 2019 as Alcohol Awareness Month in Mendocino County; and authorize Chair to sign same.

Attachments: [Alcohol Awareness Month Proclamation. 2019. BHRS](#)

- 4p) Approval of Retroactive Agreement with Redwood Community Services, Inc., in the Amount of \$621,788 on Behalf of the Mendocino County Homeless Services Continuum of Care for Construction and Completion of a Day Center and Homeless Shelter in Ukiah, Effective March 19, 2019 through December 30, 2020**

Recommended Action:

Approve retroactive Agreement with Redwood Community Services, Inc., in the amount of \$621,788 on behalf of the Mendocino County Homeless Services Continuum of Care for construction and completion of a day center and homeless shelter in Ukiah, effective March 19, 2019 through December 30, 2020; authorize the Health and Human Services Agency Director or designee to sign any future amendments to the agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [Redwood Community Services \(HEAP\). \\$621.788](#)

- 4q) Approval of First Amendment to Agreement No. 18-081 with Redwood Community Services, Inc. DBA Redwood Community Crisis Center in the Amount of \$25,757, for a New Total of \$92,299, to Provide 24/7 Crisis Response, Outreach and Engagement Services for Children, Youth and Young Adults through the Substance Abuse and Mental Health Services Administration Grant Effective When Agreement Becomes Fully Executed Through June 30, 2019**

Recommended Action:

Approve first amendment to Agreement No. 18-081 with Redwood Community Services, Inc. DBA Redwood Community Crisis Center in the amount of \$25,757, for a new total of \$92,299, to provide 24/7 crisis response, outreach and engagement services for children, youth and young adults through the Substance Abuse and Mental Health Services Administration Grant, effective when Agreement becomes fully executed through June 30, 2019; authorize the Health and Human Services Agency Director or designee to sign any future amendments that do not exceed the annual maximum amount; and authorize Chair to sign same.

Attachments: [Redwood Community Services dba Redwood Community Crisis C](#)

- 4r) Approval of First Amendment to Agreement No. 18-135 with North Coast Opportunities in the Amount of \$33,558, for a New Total of \$91,991, to Provide Child Care Navigation and Trauma-Informed Care Training through Allocated Funds Received from California Department of Social Services, Effective When Agreement Becomes Fully Executed through June 30, 2019**

Recommended Action:

Approve first amendment to Agreement No. 18-135 with North Coast Opportunities in the amount of \$33,558, for a new total of \$91,991, to provide child care navigation and trauma-informed care training through allocated funds received from California Department of Social Services effective when Agreement becomes fully executed through June 30, 2019; authorize the Health and Human Services Agency Director or designee to sign any future amendments that do not exceed the annual maximum amount; and authorize Chair to sign same.

Attachments: [North Coast Opportunities Amendment, \\$91,991](#)

- 4s) Approval of Revenue Agreement No. 19-96013 with the California Department of Health Care Services in the Amount of \$1,500,000 for County-Based Medi-Cal Administrative Activities for the Period of July 1, 2019 Through June 30, 2022; and Adoption of Resolution Authorizing Board Chair to Sign Agreement and the Health and Human Services Agency Director or Designee to Sign any Future Amendments that do not Exceed the Maximum Amount**

Recommended Action:

Approve Revenue Agreement No. 19-96013 with the California Department of Health Care Services in the amount of \$1,500,000 for County-Based Medi-Cal Administrative Activities for the period of July 1, 2019 through June 30, 2022; adopt Resolution authorizing Board Chair to sign Agreement and the Health and Human Services Agency Director or designee to sign any future amendments that do not exceed the maximum amount; and authorize Chair to sign same.

Attachments: [Department of Health Care Services. 19-96013. \\$1.500.000. resol](#)
[CMAA CA CIVIL RIGHTS Mendocino](#)
[CMAA CCC April 2017 Mendocino](#)
[Department of Health Care Services Rev Agreement \\$1.500.000](#)

- 4t) Adoption of Resolution Approving First Amendment to Revenue Agreement 17-94083 with California Department of Health Care Services in the Amount of \$69,294, for a New Total of \$762,237, to Identify and Provide Covered Drug Medi-Cal Services for Substance Use Disorder Treatment, Effective When Agreement Becomes Fully Executed Through June 30, 2020; and Authorization for the Health and Human Services Agency Director or Designee to Sign any Future Renewals or Amendments that do not Exceed the Maximum Amount**

Recommended Action:

Adopt Resolution approving first amendment to revenue Agreement 17-94083 with California Department of Health Care Services in the amount of \$69,294, for a new total of \$762,237, to identify and provide covered Drug Medi-Cal Services for substance use disorder treatment, effective when agreement becomes fully executed through June 30, 2020; and authorize the Health and Human Services Agency Director or designee to sign any future renewals or amendments that do not exceed the maximum amount; and authorize Chair to sign same.

Attachments: [Resolution](#)
[Areement](#)

4u) Adoption of Resolution Reaffirming the Existence of Local Health Emergency Related to the Redwood Complex Fire, as Proclaimed by the Local Health Officer

Recommended Action:

Adopt Resolution reaffirming the existence of Local Health Emergency related to the Redwood Complex Fire, as proclaimed by the Local Health Officer; and authorize Chair to sign same.

Attachments: [Resolution](#)

4v) Adoption of Resolution Reaffirming the Existence of Local Health Emergency Related to the Mendocino Complex Fire, as Proclaimed by the Local Health Officer

Recommended Action:

Adopt Resolution reaffirming the existence of Local Health Emergency related to the Mendocino Complex Fire as proclaimed by the Local Health Officer; and authorize Chair to sign same.

Attachments: [Resolution](#)

SHERIFF-CORONER

4w) Adoption of Proclamation Recognizing May 5-11, 2019 as National Correctional Officers' Week in Mendocino County

Recommended Action:

Adopt Proclamation recognizing May 5-11, 2019 as National Correctional Officers' Week in Mendocino County; and authorize Chair to sign same.

Attachments: [Proclamation](#)

AIR QUALITY MANAGEMENT DISTRICT

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.

- 4x) Adoption of Resolution Authorizing the Air Quality Management District to Participate in the State Enhanced Smoke Management Program and Authorizing the Air Pollution Control Officer, as Agent, to Sign an Agreement with State Air Resources Board (ARB), When Issued, to Accept Program Funds for Implementation of the District's Smoke Management Program as well as for Support of the District's Activities Associated with Prescribed Burning and Smoke Management, Pending a Board Resolution Approving the Final Agreements**

Recommended Action:

Adopt Resolution authorizing the Air Quality Management District to participate in the State Enhanced Smoke Management Program and authorizing the Air Pollution Control Officer, as agent, to sign an Agreement with State Air Resources Board (ARB), when issued, to accept Program funds from ARB for implementation of the District's Smoke Management Program as well as for support of the District's activities associated with prescribed burning and smoke management pending a Board Resolution approving the final Agreements; and authorize Chair to sign same.

Attachments: [Memo](#)
 [Resolution](#)

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.