

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
County Counsel

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –July 10, 2018

**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, Supervisor John McCowen, Supervisor Georgeanne Croskey, Supervisor Dan Gjerde, and Supervisor Dan Hamburg. Chair Hamburg presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Katharine L. Elliott, County Counsel; and Ms. Karla Van Hagen, Senior Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Mr. Jeff Watts.

2A) ADOPTION OF PROCLAMATION RECOGNIZING JULY 15-21, 2018 AS PROBATION SERVICES WEEK IN MENDOCINO COUNTY - SPONSORS: SUPERVISORS BROWN, HAMBURG AND PROBATION

Presenter/s: Supervisor Brown.

Public Comment: Mr. Izen Locatelli, Chief Probation Officer.

Board Action: Adopted without objection.

2A) ADOPTION OF PROCLAMATION RECOGNIZING THE 50TH ANNIVERSARY OF NORTH COAST OPPORTUNITIES, INC., A PRIVATE NON PROFIT 501(C)3 COMMUNITY ACTION AGENCY SERVING MENDOCINO AND LAKE COUNTIES - SPONSOR: SUPERVISOR HAMBURG

Presenter/s: Chair Hamburg; Supervisor Brown; Supervisor McCowen; and Ms. Anne Molgaard, Acting Director, Health and Human Services Agency.

Public Comment: Ms. Patti Bruder; and Ms. Tarney Sheldon.

Board Action: Adopted without objection.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Stephen Whitaker; Mr. Steven J. Henderson; Ms. Pearl Watts; Ms. Marybeth Kelly; Ms. Peggy Hebrard; Mr. Jerry Karabensh; Mr. Casey O'Neill; and Ms. Linda Gray.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Hamburg.

Public Comment: Ms. Ellen Drell; Mr. Kenneth Black; Mr. Greg Black; and Ms. Jan McGourty.

Board Directive: BY ORDER OF THE CHAIR Consent Calendar item 4(d) is hereby removed for separate consideration.

Board Action: Upon motion by Supervisor Brown, Second by Supervisor Croskey, IT IS ORDERED that Consent Calendar items 4(a) – 4(c); and 4(e) – 4(z) are hereby approved. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

4A) APPROVAL OF RECOMMENDED REAPPOINTMENTS

1. Mr. Eric Crane, Air Quality Management District Hearing Board, Public Member;
2. Mr. George Rau, Air Quality Management District Hearing Board, Engineer Member;
3. Mr. Robert Calson, MD, Air Quality Management District Hearing Board, Alternate Physician Member;
4. Mr. Dave Roderick, Hopland Municipal Advisory Council, Member;
5. Ms. Camille Schraeder, Health and Human Services Advisory Board, Children System of Care Member; and
6. *Ms. Marilyn Harden, Civil Service Commission, District 5 Commissioner.

**Appointment of Ms. Harden includes a waiver of residency, as Ms. Harden is a District 3 resident.*

4B) APPROVAL OF MINUTES OF THE JUNE 12, 2018, REGULAR MEETING

Approved;

4C) APPROVAL OF MINUTES OF THE JUNE 19, 2018, REGULAR MEETING

Approved;

4E) AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ESTABLISH NEW CAPITAL IMPROVEMENT PROJECTS FOR THE MAIN JAIL SEWER LINE EMERGENCY REPAIRS IN THE AMOUNT OF \$15,000, CONGRESSMAN HUFFMAN'S OFFICE/RECOVERY BUILDING EMERGENCY HVAC REPLACEMENT IN THE AMOUNT OF \$9,000, AND REPLACEMENT OF REFRIGERATION EQUIPMENT FOR THE JAIL KITCHEN WALK IN REFRIGERATOR IN THE AMOUNT OF \$25,000 - SPONSOR: EXECUTIVE OFFICE

Approved;

4F) ADOPTION OF RESOLUTION DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE REDWOOD COMPLEX FIRE - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No. Resolution 18-090

RESOLUTION 18-090

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE REDWOOD COMPLEX FIRE

4G) APPROVAL OF AGREEMENT WITH LARRY WALKER AND ASSOCIATES IN THE AMOUNT OF \$736,400 FOR PHASE 2 OF THE UKIAH VALLEY GROUNDWATER SUSTAINABILITY PLAN, EFFECTIVE UPON DATE AGREEMENT IS FULLY EXECUTED THROUGH DECEMBER 30, 2021 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No. Agreement 18-104

4H) APPROVAL OF MENDOCINO COUNTY'S CERTIFICATION OF THE JUNE 5, 2018, STATEWIDE PRIMARY ELECTION - SPONSOR: ASSESSOR/CLERK-RECORDER

Approved;

4I) ADOPTION OF TWO (2) RESOLUTIONS ESTABLISHING THE PROPOSITION 4 GANN SPENDING LIMIT APPROPRIATIONS FOR THE COUNTY OF MENDOCINO AND SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS FOR FISCAL YEAR 2018-19 - SPONSOR: AUDITOR-CONTROLLER

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 18-091 and 18-092

RESOLUTION 18-091

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING THE APPROPRIATIONS LIMIT FOR SPECIAL DISTRICTS GOVERNED BY THE MENDOCINO COUNTY BOARD OF SUPERVISORS FOR FISCAL YEAR 2018-19

RESOLUTION 18-092

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE COUNTY OF MENDOCNO FOR FISCAL YEAR 2018-19

4J) ADOPTION OF ORDINANCE AMENDING MENDOCINO COUNTY CODE CHAPTER 6.32 - CANNABIS BUSINESS TAX - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4412

ORDINANCE 4412

AN ORDINANCE OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, AMENDING MENDOCINO COUNTY CODE CHAPTER 6.32 - CANNABIS BUSINESS TAX

4K) ADOPTION OF ORDINANCE AMENDING SECTION 10A.17.090 OF THE MENDOCINO COUNTY CODE TO ALLOW FOR A STAY IN DENIAL OF CANNABIS CULTIVATION PERMIT APPLICATIONS DURING A ONE YEAR NON CULTIVATION PERIOD - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4413

ORDINANCE 4413

ORDINANCE AMENDING SECTION 10A.17.090 OF THE MENDOCINO COUNTY CODE TO ALLOW FOR A STAY OF DENIAL OF CANNABIS CULTIVATION PERMIT APPLICATIONS DURING A ONE-YEAR NON-CULTIVATION PERIOD

4L) APPROVAL OF RETROACTIVE AGREEMENT WITH FEL.COM, INC., IN THE AMOUNT OF \$63,056.72, TO PROVIDE SUPPORT AND MAINTENANCE FOR THE MENDO WITS SOFTWARE SYSTEM FOR THE PERIOD OF JULY 1, 2018, THROUGH JUNE 30, 2019 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-105

4M) APPROVAL OF RETROACTIVE INTERGOVERNMENTAL TRANSFER, TRANSFER OF PUBLIC FUNDS AGREEMENT 17-94752 WITH THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES FOR FEDERAL FISCAL YEARS 2017-20 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-106*

4N) APPROVAL OF RETROACTIVE AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT 15-066 WITH MENDOCINO COUNCIL OF GOVERNMENTS TO IMPROVE THE SAFETY AND NUMBER OF CHILDREN WHO WALK OR BIKE TO AND FROM SCHOOL, EXTENDING THE END DATE FROM MARCH 26, 2018, THROUGH JANUARY 31, 2019, (FOR NEW EFFECTIVE DATES OF JULY 7, 2015, THROUGH JANUARY 31, 2019) AND MAINTAINING THE ORIGINAL AMOUNT OF \$300,042 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-107

4O) APPROVAL OF AGREEMENT WITH CHABOT LAS POSITAS COMMUNITY COLLEGE DISTRICT IN THE AMOUNT OF \$1,500,000 TO PROVIDE TRAINING FOR FOSTER CARE PROVIDERS, GROUP HOME STAFF, AND COUNTY STAFF SERVING MENDOCINO COUNTY'S TITLE IV, E FEDERALLY ELIGIBLE CHILDREN, EFFECTIVE UPON SIGNING THROUGH JUNE 30, 2019 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-108

4P) ADOPTION OF RESOLUTION REAFFIRMING THE EXISTENCE OF LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE LOCAL HEALTH OFFICER - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-093

RESOLUTION 18-093

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REAFFIRMING THE EXISTENCE OF LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER

4Q) APPROVAL OF AGREEMENT WITH LIEBERT CASSIDY WHITMORE IN THE AMOUNT OF \$100,000 FOR THE PERIOD OF JULY 10, 2018, THROUGH JUNE 30, 2019, TO PROVIDE PROFESSIONAL INVESTIGATION SERVICES - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-109

4R) AUTHORIZATION OF THE ISSUANCE OF AN AFTER THE FACT COASTAL DEVELOPMENT PERMIT, CDP_2017-0042 (MORSE), FOR REMOVAL OF AN EXISTING 288 SQUARE FOOT MOBILE HOME; INSTALLATION OF A 385 SQUARE FOOT MANUFACTURED HOME; CONSTRUCTION OF A 220 SQUARE FOOT DECK; AND INSTALLATION OF A REPLACEMENT LEACH FIELD, WELL, AND 125 AMP PANEL FOR THE EXISTING PUMP HOUSE, IN THE COASTAL ZONE, 0.2 MILES NORTH OF THE INTERSECTION OF ALBION RIDGE ROAD AND ROAD D (CR 402), LOCATED AT 3550 ALBION RIDGE ROAD, ALBION (APN: 123-060-19) - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4S) AUTHORIZATION OF ISSUANCE OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT CDP_2017-0048 (SHUCK), FOR A SINGLE FAMILY RESIDENCE WITHIN THE MENDOCINO TOWN LOCAL COASTAL PLAN BOUNDARIES AND THE POINT OF VIEW ESTATES SUBDIVISION - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4T) ADOPTION OF RESOLUTION SETTING A NEW NOTICED PUBLIC HEARING DATE TO CONFIRM ACCEPTANCE OF THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT FOR FISCAL YEAR 2017-18, THEREBY LEVYING AN ANNUAL ASSESSMENT FOR THE BID IN FISCAL YEAR 2018-19 - SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-094

RESOLUTION 18-094

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING ITS INTENTION TO LEVY AND COLLECT AN ANNUAL ASSESSMENT FROM BUSINESSES IN THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT WITHIN THE BOUNDARIES OF THE UNINCORPORATED PORTION OF THE COUNTY OF MENDOCINO AND THE INCORPORATED AREAS OF THE CITY OF FORT BRAGG, THE CITY OF UKIAH, AND THE CITY OF WILLITS FROM SPECIFIED LODGING BUSINESSES AND FIXING THE DATE, TIME AND PLACE OF A PUBLIC HEARING TO BE HELD BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO TO LEVY THE PROPOSED ASSESSMENT FOR FISCAL YEAR 2018-2019.

4U) ADOPTION OF RESOLUTION APPROVING AND ADOPTING A NEGATIVE DECLARATION AND AN ADDENDUM THERETO FOR THE EXPANSION OF THE MENDOCINO COUNTY JAIL - SPONSOR: SHERIFF-CORONER

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-095

RESOLUTION 18-095

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO ADOPTING A NEGATIVE DECLARATION AND ADDENDUM FOR THE MENDOCINO COUNTY JAIL EXPANSION PROJECT

4V) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 180031, PROFESSIONAL SERVICES AGREEMENT WITH MGE ENGINEERING, INC., IN THE AMOUNT OF \$63,176 FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE TERM STARTING UPON EXECUTION OF THE AGREEMENT THROUGH DECEMBER 31, 2019, AND AUTHORIZING AN ADDITIONAL CONTINGENCY AMOUNT OF \$6,300 FOR THE LAYTONVILLE PEDESTRIAN BRIDGE REPLACEMENT OVER TEN MILE CREEK ON BRANSCOMB ROAD, COUNTY ROAD 429, AT MILEPOST 25.41 (LAYTONVILLE AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 18-096 and Agreement 18-110

RESOLUTION 18-096

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 180031, PROFESSIONAL SERVICES AGREEMENT WITH MGE ENGINEERING, INC., IN THE AMOUNT OF \$63,176 FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE TERM STARTING UPON EXECUTION OF THE AGREEMENT THROUGH DECEMBER 31, 2019, AND AUTHORIZING AN ADDITIONAL CONTINGENCY AMOUNT OF \$6,300 FOR THE LAYTONVILLE PEDESTRIAN BRIDGE OVER TEN MILE CREEK ON BRANSCOMB ROAD, COUNTY ROAD 429, MILEPOST 25.41 (LAYTONVILLE AREA)

4W) ADOPTION OF RESOLUTION AUTHORIZING DEPARTMENT OF TRANSPORTATION TO ADVERTISE FOR BIDS AND AWARD DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 180058 AT AN ESTIMATED COST OF \$1,439,000 TO PERFORM REMOVAL OF REDWOOD COMPLEX FIRE DISASTER TREE HAZARDS (REDWOOD FIRE AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-097

RESOLUTION 18-097

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING DEPARTMENT OF TRANSPORTATION TO ADVERTISE FOR BIDS AND AWARD DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 180058 IN THE ESTIMATED AMOUNT OF \$1,439,000 TO PERFORM REMOVAL OF REDWOOD COMPLEX FIRE DISASTER TREE HAZARDS (REDWOOD FIRE AREA)

4X) ADOPTION OF RESOLUTION APPROVING AMENDMENT NUMBER 2 TO THE BOARD OF SUPERVISORS AGREEMENT NUMBER 12-053/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 110121, WITH QUINCY ENGINEERING, INC., FOR A TOTAL AMOUNT OF \$15,800 FOR ADDITIONAL PROFESSIONAL DESIGN SERVICES, FOR THE TERM STARTING UPON EXECUTION OF THE AGREEMENT AND CONTINUING THROUGH DECEMBER 10, 2018, FOR THE ROWES CREEK BRIDGE REPLACEMENT ON SHERWOOD ROAD, COUNTY ROAD 311, MILEPOST 5.52 (WILLITS AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 18-098 and Agreement 12-053-A2

RESOLUTION 18-098

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NUMBER 2 TO THE BOARD OF SUPERVISORS AGREEMENT NUMBER 12-053/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 110121, WITH QUINCY ENGINEERING, INC., FOR A TOTAL AMOUNT OF \$15,800 FOR ADDITIONAL PROFESSIONAL DESIGN SERVICES, FOR THE TERM STARTING UPON EXECUTION OF THE AGREEMENT AND CONTINUING THROUGH DECEMBER 10, 2018, FOR THE ROWES CREEK BRIDGE REPLACEMENT ON SHERWOOD ROAD, COUNTY ROAD 311, MILEPOST 5.52 (WILLITS AREA)

4Y) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 180028, PROFESSIONAL SERVICES AGREEMENT WITH MGE ENGINEERING, INC., IN THE AMOUNT OF \$220,376 FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE TERM STARTING UPON EXECUTION OF THE AGREEMENT THROUGH DECEMBER 31, 2019, AND AUTHORIZING AN ADDITIONAL CONTINGENCY AMOUNT OF \$22,000 FOR THE DAVIS CREEK BRIDGE REPLACEMENT ON EAST HILL ROAD, COUNTY ROAD 301 (WILLITS AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 18-099 and Agreement 18-111

RESOLUTION 18-099

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 180028, PROFESSIONAL SERVICES AGREEMENT WITH MGE ENGINEERING, INC., IN THE AMOUNT OF \$220,376 FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE TERM STARTING UPON EXECUTION OF THE AGREEMENT THROUGH DECEMBER 31, 2019, AND AUTHORIZING AN ADDITIONAL CONTINGENCY AMOUNT OF \$22,000 FOR THE DAVIS CREEK BRIDGE REPLACEMENT ON EAST HILL ROAD, COUNTY ROAD 301 (WILLITS AREA)

4Z) APPROVAL OF OUTDOOR FESTIVAL APPLICATION FOR NORTHERN NIGHTS MUSIC FESTIVAL TO BE HELD JULY 19-22, 2018 AT THE COOKS VALLEY CAMPGROUND IN PIERCY, CALIFORNIA - SPONSOR: TREASURER-TAX COLLECTOR

Approved.

AGENDA ITEM NO. 4 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:

4D) APPROVAL OF SECOND AMENDMENT TO AGREEMENT NO. 16-009 WITH KATHARINE L. ELLIOTT TO SERVE AS COUNTY OF MENDOCINO COUNTY COUNSEL, IN THE AMOUNT OF \$15,000 PER YEAR, FOR A NEW TOTAL AGREEMENT AMOUNT OF \$146,000 PER YEAR, PLUS BENEFITS, EFFECTIVE JULY 15, 2018 - SPONSOR: SUPERVISOR HAMBURG

Presenter/s: Supervisor Hamburg; and Supervisor McCowen.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Croskey, IT IS ORDERED that the Board of Supervisors approves second amendment to Agreement No. 16-009 with Katharine L. Elliott to serve as

County of Mendocino County Counsel, in the amount of \$15,000 per year, for a new total Agreement amount of \$146,000 per year, plus benefits, effective July 15, 2018; 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 16-009-A2

5A) DISCUSSION AND POSSIBLE ACTION REGARDING AN UPDATE TO THE BOARD OF SUPERVISORS FROM THE MENTAL HEALTH TREATMENT ACT CITIZEN'S OVERSIGHT COMMITTEE, AN ADVISORY COMMITTEE PER MEASURE B ORDINANCE NUMBER 4387 AS APPROVED BY THE VOTERS OF MENDOCINO COUNTY, ON PROGRESS SINCE THE MAY 8, 2018, UPDATE - SPONSOR: SHERIFF-CORONER

Presenter/s: Mr. Thomas Allman, Sheriff-Coroner.

Public Comment: Ms. Cathy Harpe; and Ms. Jan McGourty.

Board Action: No action taken.

5B) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF THE DEPARTMENT OF PLANNING AND BUILDING SERVICES DEVELOPMENT ACTIVITY REPORT FOR THE MONTH OF JUNE, 2018 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Supervisor Croskey; Ms. Cathy Harpe; Ms. Meeka Farretta; Ms. Louis Lockhart; and Ms. Jenine Miller, Ph.D., Director, Behavioral Health.

Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the Behavioral Health Advisory Board shall submit their written concerns to the Board of Supervisors, as addressed during today's Board meeting. Staff shall schedule an item for a future Board of Supervisors meeting to address those concerns.

BOARD RECESS: 10:48 A.M. – 11:04 A.M.

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION OF THE LIBRARY ADVISORY BOARD ANNUAL REPORT - SPONSOR: LIBRARY

Presenter/s: Mr. Marc Komer; and Ms. Karen Horner, Director, Library.

Public Comment: Mr. Stephen Whitaker; and Ms. Lynn Zimmerman.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Executive Office staff shall provide presentations to stakeholder groups, with discussion focused specifically on how the Cultural Services Agency (CSA) can best benefit the Libraries; and return to the Board for further discussion and/or direction.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors does not accept the annual report from the Library Advisory Board. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 11:46 A.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: LINDA MORALES, ET AL., V. COUNTY OF MENDOCINO, ET AL., CASE NUMBER 16-CV-02429-EMC

9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: JOY MAULVI V. COUNTY OF MENDOCINO, ET AL., CASE NUMBER SCU-K-CVG-16-68369

9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: JESSICA MCCALL V. MENDOCINO COUNTY, DISTRICT ATTORNEY'S OFFICE, ET AL., CASE NUMBER SCU-K-CVG 18-70457

RECONVENED IN OPEN SESSION: 1:42 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Hamburg.

Board Action: In respect to agenda items 9a) - 9c); direction was given to staff.

5D) DISCUSSION AND POSSIBLE ACTION REGARDING UPDATES ASSOCIATED WITH FIRE RECOVERY EFFORTS IN MENDOCINO COUNTY - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Tammy Moss Chandler, Director, Recovery; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: None.

Board Action: No action taken.

5E) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE READING OF AN ORDINANCE AMENDING SECTION 15.04.030 OF THE MENDOCINO COUNTY CODE - SPEED ZONING ON COUNTY ROADS, ADDING PARAGRAPH 15.04.030(B) (40), ESTABLISHING A TWENTY FIVE MILES PER HOUR PRIMA FACIE SPEED LIMIT ON RUDDICK CUNNINGHAM ROAD, COUNTY ROAD 205, FROM MILEPOST 0.00 TO MILEPOST 0.50, AND AMENDING PARAGRAPH 15.04.030(F)(6), MAINTAINING A FORTY FIVE MILES PER HOUR PRIMA FACIE SPEED LIMIT ON RUDDICK CUNNINGHAM ROAD, COUNTY ROAD 205 FROM MILEPOST 0.50 TO THE INTERSECTION OF STATE HIGHWAY 222 (TALMAGE ROAD) (TALMAGE AREA) - SPONSOR: TRANSPORTATION

Presenter/s: Ms. Amber Muñoz, Deputy Director of Administration, Transportation.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors introduces and waives reading of Ordinance amending section 15.04.030 of the Mendocino County Code - Speed Zoning on County Roads, adding paragraph 15.04.030(B) (40), establishing a twenty five miles per hour prima facie speed limit on Ruddick Cunningham Road, County Road 205, from milepost 0.00 to milepost 0.50, and amending paragraph 15.04.030(F)(6), maintaining a forty five miles per hour prima facie speed limit on Ruddick Cunningham Road, County Road 205 from milepost 0.50 to the intersection of State Highway 222 (Talmage Road) (Talmage area). The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

5F) DISCUSSION AND POSSIBLE ACTION REGARDING INFORMATIONAL UPDATE ON THE IMPLEMENTATION OF THE MENDOCINO COUNTY CANNABIS CULTIVATION PROGRAM AND CANNABIS COMPLIANCE EFFORTS - SPONSOR: AGRICULTURE

Presenter/s: Mr. Harinder Grewal, Agricultural Commissioner/Sealer of Weights and Measures; Ms. Chevon Holmes, Program Administrator, Agriculture; and Mr. Matthew Kiedrowski, Deputy County Counsel.

Public Comment: Mr. Ron Edwards; Ms. Kimberly Tate; Ms. Linda Gray; Ms. Heidi Wordhouse; Mr. Casey O'Neill; Ms. Corinne Powell; Mr. Chris Gurr; and Mr. Stuart Marcus.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors appoints Supervisor Hamburg and Supervisor McCowen to an Ad Hoc Committee to prepare a proposal for possible amendments to the local Cannabis Cultivation Ordinance. This Ad Hoc shall focus on areas not currently being covered in the Working Groups, and hold at least one publicly-noticed meeting prior to presenting their proposal to the Board of Supervisors. The motion carried by the following vote:

Aye: 3 – Supervisor McCowen, Supervisor Gjerde, and Supervisor Hamburg

No: 2 – Supervisor Brown, and Supervisor Croskey

BOARD RECESS: 3:16 P.M. – 3:30 P.M.

5G) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE - WITHDRAWN**5H) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM – SPONSOR: EXECUTIVE OFFICE - WITHDRAWN****5I) DISCUSSION AND POSSIBLE ACTION REGARDING REPORT CLARIFYING THE TIMING AND POSSIBLE ADOPTION OF A HIRING FREEZE - SPONSOR: EXECUTIVE OFFICE**

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

Public Comment: Mr. Patrick Hickey; and Mr. Ron Edwards.

Board Action: GENERAL CONSENSUS OF THE BOARD that the County shall defer any further discussion regarding a hiring freeze until the first quarter budget report.

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

Board Action: No action taken.

ADJOURNED TO CLOSED SESSION: 4:06 P.M.

9D) PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – AIR POLLUTION CONTROL OFFICER

RECONVENED IN OPEN SESSION 4:43 P.M.

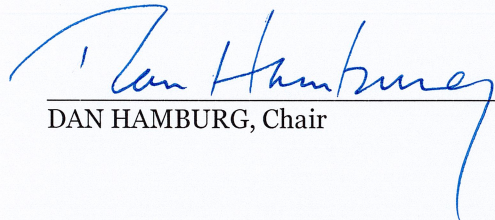
AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

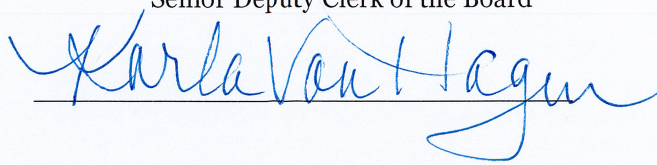
Presenter: Chair Hamburg.

Board Action: In respect to agenda item 9d); direction was given to staff.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:54 P.M.

Attest: KARLA VAN HAGEN
Senior Deputy Clerk of the Board


DAN HAMBURG, Chair



NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes will be produced in “action only” format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors’ website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available via the County’s YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 463-4441.
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors’ action minutes are also posted on the County of Mendocino website at: www.mendocinocounty.org/government/board-of-supervisors
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: www.mendocinocounty.org/government/board-of-supervisors

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