

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

COUNTY ADMINISTRATION CENTER
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Ukiah, CA 95482
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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – May 22, 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 9:00 A.M.)

Present: Supervisor Carre Brown, Supervisor John McCowen, Supervisor Georgeanne Croskey, and Supervisor Dan Hamburg. Chair Hamburg presiding. Supervisor Dan Gjerde absent by prearrangement.

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. Greg Schellhase.

2A) ADOPTION OF PROCLAMATION RECOGNIZING MAY 2018 AS OLDER AMERICANS MONTH IN MENDOCINO COUNTY - SPONSORS: SUPERVISORS BROWN AND MCCOWEN

Presenter/s: Supervisor Croskey.

Public Comment: None.

Board Action: Adopted without objection.

2B) ADOPTION OF PROCLAMATION RECOGNIZING MAY 2018 AS NATIONAL DRUG COURT MONTH IN MENDOCINO COUNTY - SPONSORS: SUPERVISORS BROWN AND McCOWEN

Presenter/s: Supervisor Brown.

Public Comment: The Honorable Janine Nadel, Superior Court Judge; and Mr. James Marmon.

Board Action: Adopted without objection.

2C) ADOPTION OF PROCLAMATION DECLARING MAY 20-26, 2018, AS EMERGENCY MEDICAL SERVICES (EMS) WEEK IN MENDOCINO COUNTY - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Chair Hamburg.

Public Comment: Ms. Jen Banks; and Ms. Theresa Gowan.

Board Action: Adopted without objection.

AGENDA ITEM NO. 3A – PUBLIC EXPRESSION

Presenter/s: Ms. Sarah Peters; Mr. Greg Schellhase; Ms. Michelle Hutchins; and Mr. James Marmon.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Hamburg.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that Consent Calendar items 4(a) – 4(z) are approved as follows. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, and Supervisor Hamburg

No: 0 - None

Absent: 1 - Supervisor Gjerde

4A) APRIL 24, 2018, REGULAR MEETING

Approved;

4B) MAY8, 2018, REGULAR MEETING

Approved;

4C) ADOPTION OF RESOLUTION AUTHORIZING THE AGRICULTURAL COMMISSIONER TO EXECUTE A COOPERATIVE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE IN THE AMOUNT OF \$101,762.31 FOR REIMBURSEMENT OF COMMERCIAL CANNABIS CULTIVATION COMPLIANCE INSPECTION ACTIVITIES AND AUTHORIZE THE AGRICULTURAL COMMISSIONER TO SIGN ANY AMENDMENTS THERETO THAT DO NOT INCREASE THE MAXIMUM TOTAL AMOUNT OF THE AGREEMENT AND PROVIDE ANY ASSURANCES OR CERTIFICATIONS REQUIRED TO ENTER INTO THE AGREEMENT - SPONSOR: AGRICULTURE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-069

RESOLUTION NO. 18-069

RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING THE AGRICULTURAL COMMISSIONER TO EXECUTE A COOPERATIVE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE FOR REIMBURSEMENT OF COMMERCIAL CANNABIS CULTIVATION COMPLIANCE INSPECTION ACTIVITIES RELATED TO THE CALCANNABIS PROGRAM

4D) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE MENDOCINO CITY 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 18-070

RESOLUTION NO. 18-070

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

4E) APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MENDOCINO AND THE CITY OF UKIAH REGARDING THE REQUEST FOR PROPOSAL PROCESS TO ESTABLISH AN EXCLUSIVE OPERATING AREA (EOA) FOR EMERGENCY AMBULANCE SERVICES FOR INLAND MENDOCINO COUNTY - SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-058

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 18-071

RESOLUTION NO. 18-071

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

4G) APPROVAL OF AMENDMENT TO BOS AGREEMENT NO. 17-063 WITH CANYON MANOR INCREASING THE AMOUNT FROM \$222,753 TO \$455,520 TO PROVIDE RESIDENTIAL TREATMENT SERVICES FOR HEALTH AND HUMAN SERVICES AGENCY, BEHAVIORAL HEALTH AND RECOVERY SERVICES CLIENTS IN FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-063-A1

4H) ADOPTION OF RESOLUTION AND APPROVAL OF AGREEMENT WITH EMPLOYMENT DEVELOPMENT DEPARTMENT IN THE AMOUNT OF \$75,809, TO PROVIDE JOB DEVELOPMENT SERVICES FOR CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS PARTICIPANTS FOR THE TERM OF JULY 1, 2018, THROUGH JUNE 30, 2019 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-072; Agreement *18-059

RESOLUTION NO. 18-072

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO APPROVE AGREEMENT BETWEEN THE STATE OF CALIFORNIA EMPLOYMENT DEVELOPMENT DEPARTMENT AND MENDOCINO COUNTY HEALTH AND HUMAN SERVICES AGENCY, CALWORKS JOB SERVICES

4I) APPROVAL OF AMENDMENT TO BOS AGREEMENT NO. 17-141 WITH WILLOW GLEN CARE CENTER INCREASING THE AMOUNT FROM \$1,000,000 TO \$1,115,840 TO PROVIDE RESIDENTIAL TREATMENT SERVICES FOR HEALTH AND HUMAN SERVICES AGENCY, BEHAVIORAL HEALTH AND RECOVERY SERVICES CLIENTS IN FISCAL YEAR (FY) 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-141-A1

4J) APPROVAL OF AGREEMENT WITH FIRST 5 MENDOCINO IN THE AMOUNT OF \$54,085, TO PROVIDE TRIPLE P (POSITIVE PARENTING PROGRAM) CLASSES COUNTYWIDE FOR THE TERM 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 18-060

4K) APPROVAL OF AGREEMENT WITH RAISE AND SHINE (THE SANDBOX) IN THE AMOUNT OF \$76,917 TO PROVIDE CHILD CARE FOR FOSTER CHILDREN FOR THE TERM 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 18-061

4L) APPROVAL OF AGREEMENT WITH ACTION NETWORK FAMILY RESOURCE CENTER IN THE AMOUNT OF \$107,880 TO PROVIDE DIFFERENTIAL RESPONSE SERVICES FOR THE TERM 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 18-062

4M) 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 18-073

RESOLUTION NO. 18-073

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

4N) APPROVAL OF AGREEMENT WITH SAFE PASSAGE FAMILY RESOURCE CENTER IN THE AMOUNT \$81,372 TO PROVIDE DIFFERENTIAL RESPONSE SERVICES FOR THE TERM 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 18-063

4O) APPROVAL OF AGREEMENT WITH FIRST 5 MENDOCINO IN THE AMOUNT OF \$136,236 TO PROVIDE DIFFERENTIAL RESPONSE SERVICES FOR THE TERM 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 18-064

4P) APPROVAL OF AGREEMENT WITH VISTA PACIFICA CENTER IN THE AMOUNT OF \$369,015 TO PROVIDE RESIDENTIAL MENTAL HEALTH TREATMENT TO CLIENTS OF HEALTH AND HUMAN SERVICES AGENCY, BEHAVIORAL HEALTH AND RECOVERY SERVICES FOR THE TERM 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 18-065

4Q) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COMMUNITY HEALTH CLINICS IN THE AMOUNT OF \$82,500 TO PROVIDE SUPPORT AND PARTICIPANT-SPECIFIC DATA TO THE COUNTY OF MENDOCINO'S WHOLE PERSON CARE PILOT PROJECT FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2018 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-066

4R) APPROVAL OF RECOMMENDATION BY THE POLICY COUNCIL ON CHILDREN AND YOUTH/CHILD ABUSE PREVENTION COMMISSION TO DISTRIBUTE \$20,000 FROM THE COUNTY CHILDREN'S TRUST FUND FOR CHILD ABUSE PREVENTION ACTIVITIES IN FISCAL YEAR 2018-19 (\$13,200 TO COURT APPOINTED SPECIAL ADVOCATES, AND \$6,800 TO MENDOCINO COAST CHILD ABUSE PREVENTION COORDINATING COUNCIL) - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

4S) APPROVAL OF AMENDMENT TO BOS AGREEMENT NUMBER 16-050 WITH NEOGOV, IN THE AMOUNT OF \$52,288 FOR FISCAL YEAR 2018/2019 EXTENDING THE AGREEMENT EXPIRATION DATE FROM JUNE 30, 2018 TO JULY 30, 2019, FOR CONTINUED SUBSCRIPTION TO ONLINE EMPLOYMENT SERVICES SOFTWARE AND LICENSING OF INSIGHT ENTERPRISE EDITION AND PERFORM AND POSITION CONTROL INTEGRATION TO INCLUDE RECRUITMENT, SELECTION, APPLICANT TRACKING, REPORT AND ANALYSIS, HR AUTOMATION SERVICES AND UNLIMITED CUSTOMER SUPPORT, POSITION CONTROL INTEGRATION AND SUBSCRIPTION WITH GOVERNMENTJOBS.COM FOR UNLIMITED JOB POSTING AND ADVERTISEMENT- SPONSOR: HUMAN RESOURCES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-053-A1

4T) ADOPTION OF RESOLUTION AUTHORIZING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: SHERIFF'S OFFICE, BUDGET UNIT 2830 - DELETE ONE (1) FULL-TIME EQUIVALENT (FTE) PROGRAM SPECIALIST II AND ADD ONE (1) FTE EMERGENCY SERVICES SPECIALIST - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-074

RESOLUTION NO. 18-074

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

4U) ADOPTION OF RESOLUTION AUTHORIZING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: SHERIFF'S OFFICE, BUDGET UNIT 2310 - DELETE ONE (1) FULL-TIME EQUIVALENT (FTE) SHERIFF'S SERVICES TECHNICIAN AND ADD ONE (1) FTE PROGRAM SPECIALIST II - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-075

RESOLUTION NO. 18-075

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

4V) ACCEPTANCE OF THE DEPARTMENT OF PLANNING AND BUILDING SERVICES DEVELOPMENT ACTIVITY REPORT FOR THE MONTH OF APRIL, 2018 - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4W) 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 - SPONSOR: TREASURER – TAX COLLECTOR

Approved;

4X) APPROVAL OF OUTDOOR FESTIVAL APPLICATION FOR THE ENCHANTED FOREST FESTIVAL, TO BE HELD JUNE 7-10, 2018, IN LAYTONVILLE AND AUTHORIZATION FOR TREASURER-TAX COLLECTOR TO ISSUE THE OUTDOOR FESTIVAL LICENSE - SPONSOR: TREASURER – TAX COLLECTOR

Approved;

4Y) ACCEPTANCE OF THE MARCH 31, 2018, REPORT OF MENDOCINO COUNTY POOLED INVESTMENTS - SPONSOR: TREASURER – TAX COLLECTOR

Approved;

4Z) APPROVAL OF OUTDOOR FESTIVAL APPLICATION FOR THE KATE WOLF MUSIC FESTIVAL TO BE HELD JUNE 28 - JULY 1, 2018, IN LAYTONVILLE AND AUTHORIZATION FOR THE TREASURER-TAX COLLECTOR TO ISSUE THE OUTDOOR FESTIVAL LICENSE - SPONSOR: TREASURER – TAX COLLECTOR

Approved;

5A) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF THE THIRD QUARTER BUDGET REPORT ON THE STATUS OF COUNTY DEPARTMENTAL BUDGETS AND EXECUTIVE OFFICE RECOMMENDATIONS FOR FISCAL YEAR (FY) 2017-18; AND POSSIBLE DISCUSSION AND DIRECTION REGARDING THE PREPARATION OF MENDOCINO COUNTY'S FY 2018-19 BUDGET - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Sarah Dukett, Senior Administrative Analyst, Executive Office; Ms. Janelle Rau, Deputy Chief Executive Officer; Ms. Darcie Antle, Assistant Director, Health and Human Services Agency Administration; Mr. Steve Dunncliff, Deputy Chief Executive Officer; Mr. Lloyd Weer, Auditor-Controller; Ms. Heidi Dunham, Director, Human Resources; and Ms. Shari Schapmire, Treasurer-Tax Collector.

Public Comment: Mr. James Marmon; and Ms. Anne Molgaard, Acting Director, Health and Human Services Agency.

Board Directive: BY ORDER OF THE CHAIR staff shall bring an item forward on the June 5, 2018, agenda to form an ad hoc to explore solar energy options and return to the Board with recommendations.

Board Action: Upon motion by Supervisor Croskey, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors accepts the Third Quarter Budget Report on the status of departmental spending and revenues for Fiscal Year 2017-18; approves Executive Office recommendation of allocation of Fiscal Year 2017-18 projected carryforward as onetime available funding in Fiscal Year 2018-19; dedicating \$343,717 to General Fund reserves to comply with Policy 32 . The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, and Supervisor Hamburg

No: 1 - None

Absent: 1 - Supervisor Gjerde

BOARD RECESS: 11:03 A.M. – 11:19 A.M.

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

Presenter/s: Ms. Sarah Dunkett, Senior Administrative Analyst.

Public Comment: None.

Board Action: No action taken.

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

Presenter/s: Ms. Tammy Moss Chandler, Recovery Director; Mr. Rick Ehlert, Coordinator, Office of Emergency Services; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: None.

Board Action: No action taken.

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING APPOINTMENT OF A BOARD OF SUPERVISORS AD HOC COMMITTEE REGARDING RESPONSES TO THE 2017-2018 GRAND JURY REPORTS - SPONSOR: COUNTY COUNSEL

Presenter/s: Ms. Katharine L. Elliott, County Counsel.

Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD to have staff schedule mid-year updates regarding Grand Jury reports.

5D) DISCUSSION AND POSSIBLE ACTION TO FORM A BOARD OF SUPERVISORS AD HOC COMMITTEE TO MEET WITH PG&E AND OTHER GOVERNMENT ENTITIES REGARDING THE POTTER VALLEY PROJECT - SPONSOR: WATER AGENCY

Presenter/s: Supervisor Brown.

Public Comment: Mr. James Marmon; and Ms. Janet Pauli.

Board Directive: BY ORDER OF THE CHAIR Supervisors Brown and McCowen are appointed to the ad hoc committee to meet with PG&E and other government entities and stakeholders regarding the Potter Valley Project.

5E) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF AMENDMENT OF THE BOARD OF SUPERVISORS 2018 MASTER MEETING SCHEDULE ADDING A POTENTIAL REGULAR MEETING ON JUNE 12, 2018, AND/OR OTHER DATES AS DIRECTED BY THE BOARD - SPONSOR: EXECUTIVE OFFICE

Presenter/s: None.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors approves amendment to the Board of Supervisors 2018 Master Meeting Schedule adding a Regular Meeting on June 12, 2018, as directed by the Board. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, and Supervisor Hamburg

No: 0 - None

Absent: 1 - Supervisor Gjerde

5F) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF INFORMATIONAL PRESENTATION AND UPDATE ON CODE ENFORCEMENT ACTIVITY IN THE UNINCORPORATED AREAS OF MENDOCINO COUNTY - SPONSORS: PLANNING AND BUILDING SERVICES AND COUNTY COUNSEL

Presenter/s: Mr. Trent Taylor, Code Enforcement Officer; Mr. Michael Makdisi, Deputy County Counsel; and Ms. Katharine L. Elliott, County Counsel.

Public Comment: None.

Board Action: No action taken.

ADJOURNED LUNCH RECESS FOLLOWED BY CLOSED SESSION: 12:08 P.M.

AGENDA ITEM NO. 9 – CLOSED SESSION

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. USDC CASE No. 16-CV-02429-EMC

9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.8) - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - PROPERTY APN: 002 093 25 00; ORR STREET, UKIAH, CALIFORNIA; AGENCY NEGOTIATORS: CARMEL J. ANGELO, AND JANELLE RAU. OTHERS INVOLVED: SHERIFF THOMAS ALLMAN. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS OF PAYMENT

9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: JAMES NEUROTH AND JOAN C. NYGREN V. MENDOCINO COUNTY, ET AL. USDC CASE No. 15-CV-3226-RS

9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: COUNTY OF MENDOCINO, ET AL. V. AMERISOURCEBERGEN DRUG CORPORATION, ET AL. USDC CASE No. 18-CV-02712-RMI

9E) PURSUANT TO GOVERNMENT CODE SECTION 54956.9D(2) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – ONE CASE

RECONVENED IN OPEN SESSION 1:34 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter/s: Chair Hamburg.

Board Action: In respect to item 9a) – 9e), direction was given to staff.

5G) DISCUSSION AND POSSIBLE ACTION REGARDING INFORMATIONAL UPDATE ON THE IMPLEMENTATION OF THE MENDOCINO COUNTY CANNABIS CULTIVATION PROGRAM AND CANNABIS COMPLIANCE AND CODE ENFORCEMENT UNIT - SPONSOR: CANNABIS PROGRAM

Presenter/s: Mr. Kelly Overton, Manager, Cannabis Unit; and Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services.

Public Comment: Ms. Hannah Nelson; Mr. Ron Edwards; Mr. Casey O'Neill; and Ms. Susan Schindler.

Board Directive: GENERAL CONSENSUS OF THE BOARD to amend Ordinance language allowing applicant (who has submitted application and paid fee) to file a certificate of non-operation.

Board Directive: GENERAL CONSENSUS OF THE BOARD that it is in favor of moving forward with Microbusiness amendments.

5H) DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR AMENDMENTS TO SECTION 10A.17.080 OF THE MENDOCINO COUNTY CODE; AND INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE AMENDING SECTION 10A.17.080 OF THE MENDOCINO COUNTY CODE TO EXTEND THE DEADLINE TO APPLY FOR A CANNABIS CULTIVATION PERMIT - SPONSORS: COUNTY COUNSEL AND AGRICULTURE/CANNABIS PROGRAM

Presenter/s: Mr. Kelly Overton, Manager, Cannabis Unit; Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services; and Mr. Matthew Kiedrowski, Deputy County Counsel.

Public Comment: Ms. Hannah Nelson; Mr. Casey O'Neill; Mr. Ron Edwards; Ms. Corinne Powell; Mr. Scott Ward; Mr. Gabriel Martin; Ms. Ellen Drell; and Mr. John Phillips.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors adopts Resolution approving and adopting an addendum to the previously adopted Mitigated Negative Declaration, in compliance with California Environmental Quality Act requirements for amendments to Section 10A.17.080 of the Mendocino County Code and authorizes Chair to sign same; and introduces and waives first reading of an Ordinance amending Section 10A.17.080 of the Mendocino County Code to extend the deadline to apply for a Cannabis Cultivation Permit. The motion carried by the following vote:

Aye: 3 - Supervisor Brown, Supervisor McCowen, and Supervisor Hamburg

No: 1 - Supervisor Croskey

Absent: 1 - Supervisor Gjerde

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-076

RESOLUTION NO. 18-076

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR AMENDMENTS TO SECTION 10A.17.080 OF THE MENDOCINO COUNTY CODE

5I) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING MENDOCINO COUNTY CODE CHAPTER 6.36 CANNABIS FACILITIES BUSINESSES AND CHAPTER 20.243 - CANNABIS FACILITIES - SPONSORS: COUNTY COUNSEL AND PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services; and Mr. Matthew Kiedrowski, Deputy County Counsel.

Public Comment: Mr. Ron Edwards; Ms. Anne Zollinger; Mr. Scott Ward; Mr. Brian Momsen; Ms. Mary Aigner; Ms. Ellen Drell; Ms. Corinne Powell; Mr. Casey O'Neill; Mr. George Head; and Mr. Gabriel Martin.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors introduces and waives first reading of an Ordinance amending Mendocino County Code Chapter 6.36 - Cannabis Facilities Businesses and Chapter 20.243 - Cannabis Facilities. The motion carried by the following vote:

Aye: 3 - Supervisor Brown, Supervisor McCowen, and Supervisor Hamburg

No: 1 - Supervisor Croskey

Absent: 1 - Supervisor Gjerde

BOARD RECESS: 3:13 P.M. - 3:29 P.M.

5J) TRANSPORTATION DIRECTOR'S REPORT - SPONSOR: TRANSPORTATION

Presenter/s: Mr. Howard Dashiell, Director, Transportation.

Public Comment: None.

Board Action: No action taken.

5K) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; and Mr. Thomas Allman, Sheriff-Coroner.

Public Comment: None.

Board Action: No action taken.

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

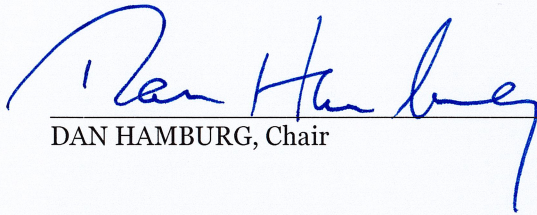
Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Planning and Building Services shall present an agenda item regarding special circumstance Planning and Building Services fee waivers for a future Board of Supervisors meeting.

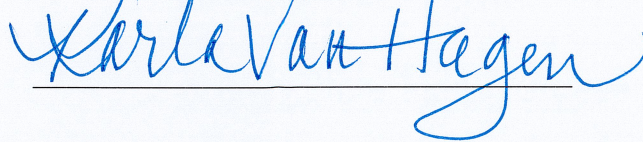
AGENDA ITEM NO. 10 – COMMUNICATIONS

- 10a) California Water Quality Monitoring Counsel - New SOP for Inland Water Sample Collection for Microbial Samples. For more information on the Inland Beaches Workgroup, please call Carly Nilson at (530) 542-5445. You may also contact the Safe-to-Swim Workgroup Co-facilitator and Citizen Monitoring Coordinator Erick Burres at (213) 576-6788.
- 10b) California Department of Transportation - Notice regarding repairs on U.S. Highway 101 in Humboldt County. For more information please contact Myles Cochrane, at (707) 445-6312 or by email at myles.cochrane@dot.ca.gov.
- 10c) Fish and Game Commission - Notice of Proposed Regulatory Action. For more information, visit the Fish and Game Commission website at <http://www.fgc.ca.gov/regulations/> or contact Scott Gardner, at (916) 801-6257.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:14 P.M.


DAN HAMBURG, Chair

Attest: KARLA VAN HAGEN
Senior Deputy Clerk of the Board



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