

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Vice-Chair

TOM WOODHOUSE
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor
Chair

DAN HAMBURG
5th District
Supervisor

CARMEL J. ANGELO
Chief Executive Officer/
Clerk of the Board



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MENDOCINO COUNTY BOARD OF SUPERVISORS

AGENDA

REGULAR MEETING, BOARD CHAMBERS

October 18, 2016 - 9:00 AM

**AND 1:30 PM JOINT MEETING WITH
MENDOCINO COUNTY FISH & GAME COMMISSION
CONFERENCE ROOM C**

TIMED ITEMS

Please note that all times provided are considered approximate

1:30 PM Joint Meeting of the Mendocino County Board of Supervisors and the Mendocino County Fish and Game Commission in Conference Room C (refer to item 11)

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.

2a) Adoption of Proclamation Declaring Savings Bank of Mendocino County, Debbie Bowles, Elliot Little, Pavlos Mayakis and SPACE as the Recipients of the 2016 Mendocino County Art Champions Award as Nominated by the Community and Selected by the Arts Council of Mendocino County Board of Directors, Followed by a Reception in Conference Room A

Recommended Action:

Adopt Proclamation declaring Savings Bank of Mendocino County, Debbie Bowles, Elliot Little, Pavlos Mayakis and SPACE as the recipients of the 2016 Mendocino County Art Champions Award as nominated by the community and selected by the Arts Council of Mendocino County Board of Directors, followed by a reception in Conference Room A; and authorize Chair to sign same.

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**EXECUTIVE OFFICE****5a) Chief Executive Officer's Report**

(<http://www.co.mendocino.ca.us/administration/CEOReports.htm>)

5b) Discussion and Possible Action Including Review, Adoption, Amendment, Consideration or Ratification of Legislation Pursuant to the Adopted Legislative Platform

Recommended Action:

Provide direction to staff on matters of legislation.

5c) Discussion and Possible Action Regarding Board Standing Committees and Special Assignment Appointments

Recommended Action:

Discuss Board Standing Committees and Special Assignment Appointments and modify the Board Committee and Special Assignment appointments to add or amend alternates as necessary.

HEALTH AND HUMAN SERVICES AGENCY**5d) Discussion and Possible Direction Regarding Informational Presentation on the Community Health Improvement Project (CHIP)**

Recommended Action:

Accept the informational presentation on Community Health Improvement Project (CHIP).

PLANNING AND BUILDING SERVICES**5e) Discussion and Possible Action Regarding an Update on the Draft Medical Cannabis Cultivation Ordinance, Draft Medical Cannabis Cultivation Site Zoning Regulation California Environmental Quality Act (CEQA) Project Description and Initial Study**

Recommended Action:

Accept update regarding the draft Medical Cannabis Cultivation Ordinance, draft Medical Cannabis Cultivation Site Zoning Regulation California Environmental Quality Act (CEQA) Project Description and Initial Study, and provide direction to staff if appropriate.

5f) 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

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.

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

6b) Discussion and Possible Acceptance of an Update Regarding the Development of a Medical Cannabis Business License and Zoning Regulations for the Dispensing, Distribution, Processing, Testing, Manufacturing, Delivery and Transportation of Cannabis (Sponsor: General Government Committee - Supervisors Brown and Gjerde)

Recommended Action:

Accept the update regarding the development of a Medical Cannabis Business License and Zoning Regulations for the dispensing, distribution, processing, testing, manufacturing, delivery and transportation of cannabis.

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 54957.6 - Conference with Labor Negotiator - Agency Negotiators: Carmel J. Angelo, Heather Coffman, Heidi Dunham, Alan Flora, Cherie Johnson and Donna Williamson; Employee Organization(s): All

9b) Pursuant to Government Code Section 54956.9d(2) - Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to 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) Sonoma County Water Agency - Russian River Hydrologic Status Report for September 30 - October 6, 2016. For more information, please contact John Mendoza at (707) 547-1929, or via email at john.mendoza@scwa.ca.gov.

10b) Sonoma County Water Agency - Russian River Hydrologic Status Report for September 23 - September 29, 2016. For more information, please contact Mr. John Mendoza at (707) 547-1929, or via email at john.mendoza@scwa.ca.gov.

10c) California Fish and Game Commission - Notice of Proposed Regulatory Action Relative to Section 632, Title 14, California Code of Regulations. For more information, please contact Ms. Sherrie Fonguena at (916) 653-4899.

10d) United States Department of Agriculture - Notice Seeking Input on the Development of the Black Butte River and Cold Creek Comprehensive River Management Plan. For more information, please contact Ms. Ann Carlson at (530) 934-3316.

11. JOINT MEETING OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AND THE MENDOCINO COUNTY FISH AND GAME COMMISSION (1:30 PM - Conference Room C)**Joint Meeting of the Mendocino County Board of Supervisors and the Mendocino County Fish and Game Commission**

11a) Discussion and Possible Action Regarding Fish and Game Project Funding Priorities, Including but not Limited to Discussion of Large vs. Small Projects and Educational vs. Habitat Enhancement Projects

11b) Discussion and Possible Action Regarding Feral Cat Colony Policy Development

11c) Discussion Regarding Environmental Impacts Related to Marijuana Cultivation in Mendocino County

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:

4a) September 13, 2016 Regular Board Meeting

4b) September 19, 2016 Regular Board Meeting and Joint Meeting with the Fort Bragg City Council

4c) September 20, 2016 Regular Board Meeting

BOARD OF SUPERVISORS

- 4d) Adoption of Resolution Approving Disbursement of \$200,000 from the William J. and Melvina K. Toney Revocable Trust to Retire Debt Incurred for the Capital Project of Constructing an Archival Building (Sponsors: Supervisors McCowen and Brown)**

Recommended Action:

Adopt Resolution authorizing disbursement of \$200,000 from the William J. and Melvina K. Toney Revocable Trust, deposited in the Mendocino County Museum Endowment Fund, to retire debt incurred for the capital project of constructing an archival building, and authorize Chair to sign same.

EXECUTIVE OFFICE

- 4e) Approval of Recommended Appointments/Reappointments**

Recommended Action:

Approve the following appointments/reappointments: Mr. Patrick Pekin, Behavioral Health Advisory Board, 5th District Representative; Ms. Tammy Lowe, Behavioral Health Advisory Board, 4th District Representative; and Mr. Lloyd Chasey, Gualala Municipal Advisory Council, Member.

- 4f) Reaffirmation of a Declaration of Emergency Pursuant to MCC Sec. 2.32.040 and Public Contract Code Section 22050 Due to Damage to a County Owned Facility Located at 737 S. State St., Ukiah Caused by Flooding**

Recommended Action:

Reaffirm the declaration of emergency pursuant to MCC Sec. 2.32.040 and Public Contract Code Section 22050 due to damage to a County owned facility located at 737 S. State St., Ukiah caused by flooding.

- 4g) Approval of Change Order No. 1 to Board of Supervisors Agreement No. 16-001 with Interactive Resources in the Amount of \$23,400 for a Total Revised Agreement Amount of \$201,780 for Additional Design and Engineering Services for Roof and HVAC Equipment Replacement Projects for the County Administration Center and the Public Health/Mental Health Buildings**

Recommended Action:

Approve Change Order No. 1 to Board of Supervisors Agreement No. 16-001 with Interactive Resources in the amount of \$23,400 for a total revised Agreement amount of \$201,780 for additional design and engineering services for roof and HVAC equipment replacement projects for the County Administration Center and the Public Health/Mental Health buildings; and authorize Chair to sign same

- 4h) Appointment of Supervisor Carre Brown as Director/Board Member Representative and Supervisor Dan Gjerde as Alternate Representative to the California State Association of Counties (CSAC) Board of Directors, National Association of Counties (NACo) and Rural County Representatives of California (RCRC) for the 2016/2017 Term**

Recommended Action:

Appoint Supervisor Carre Brown as Director/Board Member Representative and Supervisor Dan Gjerde as Alternate Representative to the California State Association of Counties (CSAC) Board of Directors, National Association of Counties (NACo), and Rural County Representatives of California (RCRC) for the 2016/2017 term and authorize staff to transmit said appointments to CSAC, NACo and RCRC.

HEALTH AND HUMAN SERVICES AGENCY

- 4i) Approval of Funding Allocation of \$10,000 from the General Fund to Support the Mendocino Coast Hospitality Center's Emergency Winter Shelter Services for Homeless Living on the Mendocino Coast; and, up to \$50,000 from the General Fund to Support the 2016-2017 Emergency Winter Shelters (EWS) as submitted by the Health and Human Services Agency, Adult and Aging Services in Collaboration with the Homeless Services Action Group**

Recommended Action:

Approve and authorize the allocation of \$10,000 from the General Fund to support the Mendocino Coast Hospitality Center's Emergency Winter Shelter services for homeless living on the Mendocino coast; and approve and allocate up to \$50,000 from the General Fund to support Emergency Winter Shelter for Inland Mendocino County; and authorize the HHSA Director or Chair to execute necessary contracts.

- 4j) Approval of Amendment No. 2 to Agreement MH-16-001; Purchasing Agent Agreement No. PA 16-116 with John Garratt, M. D., in the Amount of \$150,000, for a New Revised Agreement Amount of \$200,000, to Serve as Chief Psychiatrist for Mendocino County Behavioral Health and Recovery Services for Fiscal Year 2016-17**

Recommended Action:

Approve Amendment No. 2 to Agreement MH-16-001; Purchasing Agent Agreement No. PA 16-116, with John Garratt, M. D., in the Amount of \$150,000, for a New Revised Agreement Amount of \$200,000 to serve as Chief Psychiatrist for Mendocino County Behavioral Health and Recovery Services for fiscal year 2016-17; authorize the Health and Human Services Agency Director to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

- 4k) Approval of Amendment to Board of Supervisors Agreement No. 16-048 with Willow Glen Care Center in the Amount of \$1,400,000 for a New Revised Agreement Amount of \$1,800,000 to Provide Licensed Residential Treatment to Mentally Ill Clients in Mendocino County in Fiscal Year 2016-17**

Recommended Action:

Approve amendment to Board of Supervisors Agreement No. 16-048 with Willow Glen Care Center in the amount of \$1,400,000 for a new revised agreement amount of \$1,800,000 to provide licensed residential treatment to mentally ill clients in fiscal year 2016-17; authorize the Health and Human Services Agency Director to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

- 4l) Approval of Amendment to Agreement No. MH-16-002 with Segal Telepsychiatry Network, in the Amount of \$160,000 for a New Revised Agreement Amount of \$210,000 to Provide Telepsychiatry Services to Specialty Mental Health Clients in Fiscal Year 2016-17**

Recommended Action:

Approve amendment to Agreement No. MH-16-002 with Segal Telepsychiatry Network, in the Amount of \$160,000, for a new revised agreement amount of \$210,000 to provide telepsychiatry services to specialty mental health clients in fiscal year 2016-17; authorize the HHSA Director to sign any future amendments to the Agreement that do not affect the annual maximum amount; and authorize Chair to sign same.

HUMAN RESOURCES

- 4m) Approval of Employee Health Plan Renewal Report Recommending the Employee Health Plan Funding/Premiums Remain at the Current Levels for the 2017 Health Plan (Calendar) Year**

Recommended Action:

Approve Employee Health Plan Renewal Report recommending the Employee Health Plan funding/premiums remain at the current levels for the 2017 Health Plan (Calendar) Year.

- 4n) Adoption of Resolution Authorizing Changes to the Position Allocation Table as Follows: Central Services, Budget Unit 1160 - Delete One (1) Full-Time Equivalent (FTE) Account Specialist III and One (1) FTE Supervising Staff Assistant; Add One (1) FTE Administrative Assistant; Information Services, Budget Unit 1960 - Add One (1) FTE Administrative Assistant; and Authorization of the Reclassification and Salary Adjustment of the Affected Incumbents**

Recommended Action:

Adopt Resolution authorizing changes to the Position Allocation Table as follows: Central Services, Budget Unit 1160 - delete one (1) full-time equivalent (FTE) Account Specialist III and one (1) FTE Supervising Staff Assistant; add one (1) FTE Administrative Assistant; Information Services, Budget Unit 1960 - add one (1) FTE Administrative Assistant; authorize the reclassification and salary adjustment of the affected incumbents and authorize Chair to sign same.

- 4o) Adoption of Resolution Authorizing Changes to the Position Allocation Table as Follows: Museum, Budget Unit 7110 - Delete One (1) Full-Time Equivalent (FTE) Staff Assistant II; Add One (1) FTE Administrative Assistant; and Authorization for the Reclassification and Salary Adjustment of the Affected Incumbent**

Recommended Action:

Adopt Resolution authorizing changes to the Position Allocation Table as follows: Museum, budget unit 7110 - delete one (1) full-time equivalent (FTE) Staff Assistant II; add one (1) FTE Administrative Assistant; authorize the reclassification and salary adjustment of the affected incumbent; and authorize Chair to sign same.

- 4p) Adoption of Resolution Authorizing Adoption of the Classification of Assistant Clerk-Recorder/Registrar and the Abolishment of Assistant Clerk-Recorder and Assistant Registrar of Voters Classifications; Approval of Changes to the Position Allocation Table as Follows: Elections, Budget Unit 1410 - Delete One (1) Full-Time Equivalent (FTE) Assistant Registrar of Voters; Add One (1) FTE Assistant Clerk-Recorder/Registrar; and Authorization for the Reclassification and Salary Adjustment of the Affected Incumbent**

Recommended Action:

Adopt Resolution authorizing adoption of the classification of Assistant Clerk-Recorder/Registrar and the abolishment of Assistant Clerk-Recorder and Assistant Registrar of Voters classifications; approve changes to the Position Allocation Table as follows: Elections, Budget Unit 1410 - delete one (1) Full-Time Equivalent (FTE) Assistant Registrar of Voters; add one (1) FTE Assistant Clerk-Recorder/Registrar; authorize the reclassification and salary adjustment of the affected incumbent; and authorize Chair to sign same.

- 4q) Adoption of Resolution Authorizing Changes to the Position Allocation Table as Follows: Health and Human Services Agency (HHSA), Budget Unit 4010 - Delete One (1) Full-Time Equivalent (FTE) Public Health Branch Director and Add One (1) FTE Assistant HHSA Director; Budget Unit 4050 - Delete One (1) FTE Deputy Director of Mental Health Services and Add One (1) FTE Assistant HHSA Director; Budget Unit 5010 - Delete One (1) FTE Social Services Branch Director and Add One (1) FTE Assistant HHSA Director; and Budget Unit 5020 - Delete One (1) FTE Chief Fiscal Officer and Add One (1) FTE Assistant HHSA Director**

Recommended Action:

Adopt Resolution authorizing changes to the Position Allocation Table as follows: Health and Human Services Agency (HHSA), Budget Unit 4010 - delete one (1) full-time equivalent (FTE) Public Health Branch Director and add one (1) FTE Assistant HHSA Director; Budget Unit 4050 - delete one (1) FTE Deputy Director of Mental Health Services and add one (1) FTE Assistant HHSA Director; Budget Unit 5010 - delete one (1) FTE Social Services Branch Director and add one (1) FTE Assistant HHSA Director; and Budget Unit 5020 - delete one (1) FTE Chief Fiscal Officer and add one (1) FTE Assistant HHSA Director; and authorize Chair to sign same.

LIBRARY

- 4r) Approval of Modification to the Hours of Operation for the Willits Branch of the Mendocino County Library**

Recommended Action:

Approve the modification to the hours of operation for the Willits Branch of the Mendocino County Library.

PLANNING AND BUILDING SERVICES

- 4s) Approval of Appointment of Mr. Guy Pacurar as a Coastal Lodging Representative to Fill a Vacant Seat on the Business Improvement District (BID) Advisory Board**

Recommended Action:

Approve the appointment of Mr. Guy Pacurar as a Coastal Lodging Representative to fill a vacant seat on the Business Improvement District (BID) Advisory Board.

- 4t) Approval of Amendment No.2 to Agreement No B-16-013 with 4Leaf, Inc., in the Amount of \$75,000 for a New Total Amount of \$225,000 for Contract Building Official and On-Call Building Plan Check Services to Provide Coverage for Recently Hired Building Official**

Recommended Action:

Approve amendment No. 2 to Agreement No. B-16-013 with 4Leaf, Inc., in the amount of \$75,000 for a new total amount of \$225,000 for contract building official and on-call building plan check services to provide coverage for newly hired Building Official; and authorize Chair to sign same.

SHERIFF-CORONER

- 4u) Approval of Second Amendment to Purchasing Agent Agreement PA-16-40 with Professional Events Services in the Amount of \$60,000 (for a Total Contract Amount of \$110,000) for Security of Inmates Temporarily Housed in Facilities Outside of the Mendocino County Jail**

Recommended Action:

Approve Second Amendment to Agreement PA-16-40 with Professional Events Services in the amount of \$60,000 (for a total contract amount of \$110,000) for security of inmates temporarily housed in facilities outside of the Mendocino County jail; and authorize Chair to sign same.

TREASURER-TAX COLLECTOR

- 4v) Approval of Certification of Election Results for the Lodging Business Improvement District (LBID) Board of Directors to the Mendocino County Tourism Commission (MCTC) - Appointing Guy Pacurar to the Large Coastal Lodging Operator Seat**

Recommended Action:

Approve the Certification of Election Results for the Lodging Business Improvement District (LBID) Board of Directors to the Mendocino County Tourism Commission (MCTC) - Appointing Guy Pacurar to the Large Coastal Lodging Operator Seat.

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.