

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

**November 14, 2016 - 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. Noticed Public Hearing - Discussion and Possible Action to Consider an Appeal of the Planning Commission's October 6, 2016, Acceptance of a Memorandum as an Addendum to the Mitigated Negative Declaration Adopted for Use Permit UR_2009-0002 and Determination that the Proposed Relocation of the International Institute for Philosophy & Ethics (IPE) East Campus is Consistent with Condition B-1 of Use Permit UR 2009-0002 (refer to 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.

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) Presentation of FY 2016-17 1st Quarter Budget Report and Adoption of Resolution Amending the FY 2016-17 Adopted Budget**
Recommended Action:
Accept the FY 2016-17 1st Quarter Budget Report; adopt Resolution amending the FY 2016-17 Adopted Budget; and authorize Chair to sign same.

HEALTH AND HUMAN SERVICES AGENCY

- 5d) Discussion and Possible Action Regarding the Adult Mental Health Services Transition and First Quarter Accomplishments (July 1 - September 30, 2016)**
Recommended Action:
Accept the update regarding the Mental Health Adult Services Transition Plan and the status of the various activities associated with mental health service in the first quarter.

PLANNING AND BUILDING SERVICES

- 5e) Noticed Public Hearing - Discussion and Possible Action to Consider an Appeal of the Planning Commission's October 6, 2016, Acceptance of a Memorandum as an Addendum to the Mitigated Negative Declaration Adopted for Use Permit UR_2009-0002 and Determination that the Proposed Relocation of the International Institute for Philosophy & Ethics (IIPE) East Campus is Consistent with Condition B-1 of Use Permit UR 2009-0002**
Recommended Action:
Deny the appeal and adopt a Resolution finding that the proposed relocation of the IIPE/East Campus is consistent with Condition B-1 of Use Permit UR_2009-0002 and authorize Chair to sign same; and, accept the staff memorandum as an addendum to the Mitigated Negative Declaration adopted for Use Permit UR_2009-0002.

- 5f) Noticed Public Hearing - Discussion and Possible Adoption of an Ordinance Rezoning One (1) Parcel, (R_2016-0003 - Roschelle), Totaling 119± Acres Currently Zoned RL (Rangeland) to TPZ (Timber Production Zone), Located at 23700 Ridgeway Highway, Potter Valley; Assessor Parcel Numbers 108-223-02, and 037-370-34**

Recommended Action:

Adopt Ordinance rezoning one (1) parcel, (R_2016-0003 - Roschelle), totaling 119± acres currently zoned RL to TPZ, located at 23700 Ridgeway Highway, Potter Valley; APN 108-223-02, and 037-370-34; and authorize Chair to sign same.

- 5g) Noticed Public Hearing - Discussion and Possible Adoption of an Ordinance Rezoning One (1) Parcel, (R_2016-0001- Rustic Retirement), Totaling 160± Acres Currently Zoned RL (Rangeland) to TPZ (Timber Production Zone), Located at 9120 Peachland Road, Boonville; Assessor Parcel Number 046-550-76**

Recommended Action:

Adopt Ordinance rezoning one (1) parcel, (R_2016-0001- Rustic Retirement), totaling 160± acres currently zoned RL to TPZ, located at 9120 Peachland Road, Boonville; APN 046-550-76; and authorize Chair to sign same.

- 5h) Discussion and Possible Action to Introduce and Waive First Reading of an Ordinance Amending Chapter 18.16 of the County Code Relating to the Master Grid and Property Numbering System**

Recommended Action:

Introduce and waive first reading of an Ordinance amending Chapter 18.16 of the County Code relating to the Master Grid and Property Numbering System.

- 5i) 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.

- 5j) Discussion and Possible Acceptance of Department of Planning and Building Services Development Activity Report for the Month of October 2016**

Recommended Action:

Accept the Development Activity Report from Planning and Building Services for the month of October, 2016.

TRANSPORTATION**5k) Transportation Directors Report****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 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 54956.9(a) - Conference with Legal Counsel – Existing Litigation: County of Mendocino v. Solid Waste Systems Mendocino County Superior Court Case No. SCU-K-CVG-11-59459

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

10. COMMUNICATIONS RECEIVED AND FILED

Communications received and filed are retained by the Clerk throughout the Board proceedings. To review items described in this section, please contact the Executive Office staff in Room 1010.

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/Reappointments****Recommended Action:**

Approve the following appointments/reappointments: Mr. Steve Bradley, Noyo Harbor District, Commissioner; Ms. Louise Osejo, In-Home Supportive Services Advisory Committee, Current or Former IHSS Recipient; and Ms. Danyele Chamberlain, In-Home Supportive Services Advisory Committee, Current or Former IHSS Provider; Mr. Keri St. Jeor, Museum Advisory Board, 5th District Representative; Ms. Christine Clark, Anderson Valley Cemetery District, Trustee; Mr. James Hill, Anderson Valley Cemetery District, Trustee; Ms. Eva Johnson, Anderson Valley Cemetery District, Trustee; Mr. Donald Smoot, Anderson Valley Cemetery District, Trustee.

EXECUTIVE OFFICE**4b) Acceptance of Report for 2016-17 from the Mendocino County Superintendent of Schools on the Status of Decile 1-3 Schools in Mendocino County, Pursuant to the Williams Legislation****Recommended Action:**

Accept report for 2016-17 from the Mendocino County Superintendent of Schools on the status of decile 1-3 schools in Mendocino County, pursuant to the Williams Legislation.

4c) 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.

- 4d) Adoption of Resolution Approving the Inclusion of Properties within the County's Jurisdiction in the California HERO Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approval of an Amendment to a Certain Joint Powers Agreement Adding County of Mendocino as an Associate Member of the Western Riverside Council of Governments to Permit the Provision of Property Assessed Clean Energy (PACE) Program Services**

Recommended Action:

Adopt Resolution approving the inclusion of properties within the County's jurisdiction in the California HERO Program to finance distributed generation renewable energy sources, energy and water efficiency improvements and electric vehicle charging infrastructure and approve the amendment to a certain joint powers agreement adding County of Mendocino as an associate member of the Western Riverside Council of Governments to permit the provision of Property Assessed Clean Energy (PACE) program services; and authorize Chair to sign same.

- 4e) Authorization of Blanket Declaration of Surplus Property and Authorization for Purchasing Agent to Dispose of Said Surplus Property Throughout Fiscal Year (FY) 2016-17**

Recommended Action:

Authorize blanket declaration of surplus property and authorization for Purchasing Agent to dispose of said surplus property throughout fiscal year (FY) 2016-17.

BOARD OF SUPERVISORS

- 4f) Adoption of Proclamation Recognizing John Macdonald in Achieving the Rank of Eagle Scout in the Boy Scouts of America, Troop 316 in Mendocino County (Sponsors: Supervisor McCowen and Supervisor Brown)**

Recommended Action:

Adopt Proclamation recognizing John Macdonald in achieving the rank of Eagle Scout in the Boy Scouts of America, Troop 316 in Mendocino County; and authorize Chair to sign same.

- 4g) Approval of Amendment to Agreement No. PA 16-99 with LACO Associates in the Amount of \$27,000, for a New Total Agreement Amount of \$77,000 for Fiscal Year 2016-2017, and Extend the Termination Date from December 31, 2016 to June 30, 2017, to Provide Professional Services Specific to the Development of a Medical Cannabis Cultivation Regulation Initial Study**

Recommended Action:

Approve amendment to Agreement No. PA 16-99 with LACO Associates in the amount of \$27,000, for a new total agreement amount of \$77,000 for fiscal year 2016-2017, and extend the termination date from December 31, 2016 to June 30, 2017, to provide professional services specific to the development of a Medical Cannabis Cultivation Regulation Initial Study; and authorize Chair to sign same.

- 4h) Adoption of the Mendocino County Assessment Appeals Board Local Rules for 2016-17**

Recommended Action:

Adopt the Mendocino County Assessment Appeals Board Local Rules for 2016-17.

COUNTY COUNSEL

- 4i) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Mendocino Unified School District with the General Election to be Held in November During Even-Numbered Years**

Recommended Action:

Adopt Resolution authorizing the consolidation of election of the Governing Board of the Mendocino Unified School District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

HEALTH AND HUMAN SERVICES AGENCY

- 4j) Approval of Agreement with Humboldt County Department of Health and Human Services Mental Health in the Amount of \$150,000 to Provide Specialized Mental Health Services for Mendocino County Probation Youth Placed in the Locked Facility in Fiscal Year 2016-17**

Recommended Action:

Approve Agreement with Humboldt County Department of Health and Human Services Mental Health in the amount \$150,000 to provide specialized mental health services for Mendocino County probation youth placed in the locked facility in FY 2016-17; authorize the Health and Human Services Agency Director to sign any future amendments to the Agreement that do not affect the annual maximum amount; and authorize Chair to sign same.

4k) Adoption of Proclamation Declaring November 2016 as Diabetes Awareness Month in Mendocino CountyRecommended Action:

Adopt Proclamation declaring November 2016 as Diabetes Awareness Month in Mendocino County; and authorize Chair to sign same.

HUMAN RESOURCES**4l) Adoption of Resolution Amending Resolution No. 16-132, Correcting the Salary Grade, Bargaining Unit, and Biweekly Salary of Deleted Position Number 3723, Deputy Director of Mental Health Services**Recommended Action:

Adopt Resolution amending Resolution No. 16-132, correcting the salary grade, bargaining unit, and biweekly salary of deleted Position Number 3723, Deputy Director of Mental Health Services; and authorize Chair to sign same.

PLANNING AND BUILDING SERVICES**4m) Authorization of the Issuance of Coastal Development Permit No. CDP 2016-0022 (Heid/Malina) to Construct a Guest Cottage in Albion, Located at 33801 Navarro Ridge Road; APN 123-320-07**Recommended Action:

Authorize the issuance of Coastal Development Permit No. CDP 2016-0022 (Heid/Malina) to construct a guest cottage in Albion, located at 33801 Navarro Ridge Road; APN 123-320-07.

SHERIFF-CORONER**4n) Ratification of Submission of 2017 Application for Domestic Cannabis Eradication Suppression Program (DCESP) Funding From the United States Department of Justice (U.S. DOJ) Drug Enforcement Agency (DEA)**Recommended Action:

Ratify submission of 2017 application for Domestic Cannabis Eradication Suppression Program funding from the United States Department of Justice Drug Enforcement Agency; and authorize Chair to sign same.

TREASURER-TAX COLLECTOR**4o) Acceptance of the September 30, 2016, Report of Mendocino County Pooled Investments**Recommended Action:

Accept the September 30, 2016, Report of Mendocino County Pooled Investments.

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.

4p) Approval of Application for Subvention Funds from the California Air Resources Board and Authorization for the Air Pollution Control Officer to Sign and Submit the Application to the California Air Resources Board

Recommended Action:

Approve application for subvention funds; and authorize the Air Pollution Control Officer to sign and transmit the application to the California Air Resources Board.

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.