

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
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MENDOCINO COUNTY
BOARD OF SUPERVISORS
BOARD OF SUPERVISORS AGENDA
REGULAR MEETING
February 07, 2017 - 9:00 AM
BOARD CHAMBERS, ROOM 1070
COUNTY ADMINISTRATION CENTER

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.)**a) Roll Call****b) 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

SHERIFF-CORONER

- 5a) Presentation and Possible Adoption of Resolution Authorizing the Mendocino County Sheriff's Office to Submit a Proposal for Funding Through the Adult Local Criminal Justice Facilities Construction Financing Program (Senate Bill 844), to the Board of State and Community Corrections (BSCC), for Additional Specialty Housing and Expanded Program, Training, and Mental Healthcare Space at the County Jail**

Recommended Action:

Adopt resolution authorizing the Mendocino County Sheriff's Office to submit a proposal for funding through the Adult Local Criminal Justice Facilities Construction Financing Program (Senate Bill 844), to the Board of State and Community Corrections (BSCC), for additional specialty housing and expanded program, training, and mental healthcare space at the County Jail, authorizing the Chair to sign same.

Attachments: [02-07-17 SO-Jail Funding Grant Submission - Reso.docx](#)
 [BOS Presentation - R1](#)
 [BOS Resolution 17-019](#)

PLANNING AND BUILDING SERVICES

5b) Discussion and Possible Direction to Staff Regarding Proposed Recommendations and Revisions from the Planning Commission and County Staff to the Draft Medical Cultivation Ordinance Chapter 10A.17, Zoning Ordinance Chapter 20.242, California Environmental Quality Act (CEQA) Initial Study and the Williamson Act (Sponsors: Planning and Building Services and Agriculture)

Recommended Action:

Provide direction to staff regarding proposed recommendations and revisions from the Planning Commission and County staff to the Draft Medical Cultivation Ordinance Chapter 10A.17, Zoning Ordinance Chapter 20.242, California Environmental Quality Act (CEQA) Initial Study and the Williamson Act.

Attachments:

[10A.17.010 to 190](#)

[BOS Memo OA 2016-0003 \(Cannabis\)](#)

[OA 2016-0003 \(Cannabis\) PC Reso FINAL](#)

[MMMRP with code sections](#)

[MCCZ MMRP Redlines 20170201](#)

[CoCo memo 10A.17 enforcement 2.7.17](#)

[PC Comments after 1.19.17](#)

[BOS Public Comment](#)

[BOS Public Comment 2-3-17](#)

[BOS Public Comment 2-6-17](#)

[Additional BOS Public Comment 2-6-17 \(1 of 2\)](#)

[Additional BOS Public Comment 2-6-17 \(2 of 2\)](#)

[BOS Public Comment 2-7-17](#)

[Additional BOS Public Comment 2-7-17 \(part 1\)](#)

[Additional BOS Public Comment 2-7-17 \(part 2\)](#)

[Additional BOS Public Comment 2-7-17 \(part 3\)](#)

[Additional BOS Public Comment 2-7-17 \(part 4\)](#)

[Additional BOS Public Comment 2-7-17 \(part 5\)](#)

[Additional BOS Public Comment 2-7-17 \(part 6\)](#)

5c) 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.

EXECUTIVE OFFICE

5d) **C h i e f E x e c u t i v e O f f i c e r ' s R e p o r t**
(<http://www.co.mendocino.ca.us/administration/CEOReports.htm>)

5e) **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.

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.

BOARD OF SUPERVISORS

8a) **Discussion and Possible Action Regarding Possible Closure of Westport Buy Back Center and Westport Transfer Station Including Possible Amendments to the Solid Waste of Willits (SWOW) - Mendocino Solid Waste Franchise Area 1 Contract**

Recommended Action:

Discuss and provide direction regarding maintaining the Westport Buy Back Center and/or Westport Transfer Station including possible amendments to the SWOW - Mendocino Solid Waste Franchise Area 1 contract.

Attachments: [Public Comment](#)
 [Additional Public Comment](#)

9. CLOSED SESSION

Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1.

9a) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Linda Morales, et al. v. County of Mendocino, et al. Mendocino County Superior Court Case No. 16 CV 02429 EMC

9b) 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

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) Fish and Game Commission- Notice of Proposed Regulatory Action Relative to Subsection (b)(91.1) of Section 7.50, Title 14, California Code of Regulations, Relating to Lower Klamath River Basin Sport Fishing, which will be Published in the California Regulatory Notice Register on December 30, 2016 (for more information please go to www.fgc.ca.gov)

10b) Notices Published in the California Notice Register on December 23, 2016/Register 2016, No. 52-Z (for more information please go to www.fgc.ca.gov)

10c) State Water Resources Board- Notice of Application A032324- Grist Creek Aggregates, LLC (Applicant) Filed and Application on January 5, 2015, to Appropriate Water by Permit (for more information please go to www.waterboards.ca.gov)

10d) Fish and Game Commission- Notice of Receipt of Petition to list Foothill Yellow-Legged Frog (*Rana boylii*) as Threatened under the California Endangered Species Act (for more information please go to www.fgc.ca.gov)

10e) Fish and Game Commission- Notice of Proposed Regulatory Action Relative to Subsection (b)(5) of Section 7.50, Title 14, California Code of Regulations, Relating to Central Valley Salmon Sport Fishing, which will be Published in the California Regulatory Notice Register on January 20, 2017 (for more information please go to www.fgc.ca.gov)

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 DENIAL/REJECTION:

CLAIMS AGAINST THE COUNTY

4a) Claim of Mary Levison

Attachments: [Claim of Mary Levison](#)

ITEMS RECOMMENDED FOR APPROVAL:

APPOINTMENTS**4b) Approval of Recommended Appointments/Reappointments**Recommended Action:

Approve the following appointments/reappointments: Saprina Rodriguez, Museum Advisory Board, City of Willits Representative; Patricia Guntly, Civil Service Commission, 1st District Representative; Pauline Zamboni, Mendocino County Business Improvement District Advisory Board, Lodging Association Representative; and John Dixon, Mendocino County Business Improvement District Advisory Board, Coastal Region Representative.

Attachments: [Saprina Rodriguez](#)
 [Patricia Guntly](#)
 [John Dixon](#)
 [Pauline Zamboni](#)
 [Public Comment](#)
 [Additional Public Comment 1](#)
 [Additional Public Comment 2](#)

BOARD OF SUPERVISORS**4c) Ratification of Letter to the California Public Utilities Commission Sent by The Utility Reform Network (TURN) on Behalf of Mendocino County Opposing Multiple Carriers' Requests for Extension of Time for Compliance with Decision 16-12-066 (Sponsor: Supervisor Hamburg)**Recommended Action:

Ratify letter to the California Public Utilities Commission sent by The Utility Reform Network (TURN) on behalf of Mendocino County opposing multiple carriers' requests for extension of time for compliance with Decision 16-12-066.

Attachments: [ATT](#)
 [TURN Letter](#)

- 4d) Approval of Letter to Governor Jerry Brown Supporting the Mendocino County City Selection Committee's Nomination of Fort Bragg Mayor Lindy Peters to a North Coast Representative Seat on the California Coastal Commission (Sponsor: Supervisor Gjerde)**

Recommended Action:

Approve letter to Governor Jerry Brown supporting the Mendocino County City Selection Committee's nomination of Fort Bragg Mayor Lindy Peters to a North Coast Representative seat on the California Coastal Commission.

Attachments: [Letter to Governor Brown](#)
[Governor Brown correspondence](#)

EXECUTIVE OFFICE

- 4e) Approval of the Formation of an Ad Hoc Committee to Review and Negotiate Amendments to the Intergovernmental Agreement Between the County of Mendocino, Redwood Valley/Calpella Fire Protection District and the Coyote Valley Band of Pomo Indians Concerning Mitigation of Off Reservation Impacts Resulting from the Tribe's Casino Expansion and Hotel Project Dated October 16, 2007 and as Amended By Letter Agreement dated June 7, 2012**

Recommended Action:

Approve formation of an Ad Hoc Committee consisting of Supervisors Brown and McCowen to review and negotiate amendments to the Intergovernmental Agreement between the County of Mendocino, Redwood Valley/Calpella Fire Protection District, and the Coyote Valley Band of Pomo Indians concerning mitigation of off reservation impacts resulting from the Tribe's Casino Expansion and Hotel Project Dated October 16, 2007, and as amended by Letter Agreement dated June 7, 2012.

Attachments: [CV Letter to County Board 01 10 17.pdf](#)

- 4f) Approval of Change Order No. 2 to Board of Supervisors Agreement No. 16-001 with Interactive Resources in the Amount of \$73,420 for a Total Revised Agreement Amount of \$275,200 and an Extension of the Contract Term through December 31, 2017, 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. 2 to Board of Supervisors Agreement No. 16-001 with Interactive Resources in the amount of \$73,420 for a total revised Agreement amount of \$275,200 and an extension of the contract term through December 31, 2017, 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.

Attachments: [BOS Order Change Agreement](#)
 [Exception to Bid](#)
 [BOS Agreement 16-001-A2](#)

- 4g) Approval of Amendment No. 2 to Agreement No. 16-029 with Vision Technology Solutions, LLC, in the Amount of \$4,000, For a New Not to Exceed Amount of \$86,535, for an Additional 300 Pages of Content Migration to Modernize and Enhance Mendocino County's Website**

Recommended Action:

Approve amendment No. 2 to Agreement No. 16-029 with Vision Technology Solutions, LLC, in the amount of \$4,000, for a new not to exceed amount of \$86,535, for an additional 300 pages of content migration to modernize and enhance Mendocino County's website; and authorize Chair to sign same.

Attachments: [Vision Technology Addendum-unsigned](#)
[Vision Technology Addendum- signature page](#)
[BOS Agreement Amendment](#)
[Exception to Bid](#)
[BOS Agreement 16-029-A2](#)

- 4h) Authorization to Acquire Replacement Vehicles for the Sheriff's Office and Department of Transportation (Fixed Assets) Due to Vehicle Collisions and Theft, Including Approval of Insurance Reimbursable Appropriations Adjustments in the Amount of \$139,013.74 as follows: Appropriation and Revenue Increase in the Sheriff's Office Budget Unit 2310, Line Items 864370 and 827802 in the Amount of \$96,297.74 and Appropriation and Revenue Increase in the Transportation Budget Unit 3010, Line Items 864370 and 827802 in the amount of \$42,716.00; and Add the Vehicles to the List of Fixed Assets**

Recommended Action/Motion:

Recommended Action:

Authorize acquisition of replacement vehicles for the Sheriff's Office and Department of Transportation (Fixed Assets) due to vehicle collisions and theft. Approve insurance reimbursable appropriations adjustments in the amount of \$139,013.74 as follows: appropriation and revenue increase in the Sheriff's Office Budget Unit 2310, Line Items 864370 and 827802 in the amount of \$96,297.74 and appropriation and revenue increase in the Transportation Budget Unit 3010, Line Items 864370 and 827802 in the amount of \$42,716.00; and add the vehicles to the List of Fixed Assets.

Attachments: [BID 51-16 UKIAH FORD 1](#)
[BID 49-16 ZUMWALT FORD](#)
[DOC012317-016](#)
[Budget Transfer Form for Replacement Vehicles](#)
[Budget Transfer Form for Stolen Vehicle](#)
[Signed Budget Transfer Form for Replacement Vehicles](#)

COUNTY COUNSEL

- 4i) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Laytonville 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 Laytonville Unified School District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: [BOS Resolution](#)
 [SB Reso](#)
 [Impact Report - Laytonville](#)
 [Memo COB to MCSD and MCOE 1.19.17](#)
 [BOS Resolution 17-013](#)

- 4j) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Leggett Valley 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 Leggett Valley Unified School District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: [BOS Resolution](#)
 [Leggett Valley USD Resolution](#)
 [Impact Report - Leggett](#)
 [Memo COB to MCSD and MCOE 1.19.17](#)
 [BOS Resolution 17-014](#)

4k) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Mendocino-Lake Community College 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-Lake Community College District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments:

[BOS Resolution](#)

[Mendo-Lake Community College District Resolution](#)

[Impact Report - Mendo Lake Community College](#)

[Memo COB to MCSD and MCOE 1.19.17](#)

[BOS Resolution 17-015](#)

4l) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Potter Valley Community 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 Potter Valley Community Unified School District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments:

[BOS Resolution](#)

[Potter Valley Community USD Resolution](#)

[Impact Report - Potter Valley](#)

[Memo COB to MCSD and MCOE 1.19.17](#)

[BOS Resolution 17-016](#)

4m) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Ukiah 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 Ukiah Unified School District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: [BOS Resolution](#)
 [Ukiah USD Resolution](#)
 [Impact Report - Ukiah Unified](#)
 [Memo COB to MCSD and MCOE 1.19.17](#)
 [BOS Resolution 17-017](#)

4n) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Willits 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 Willits Unified School District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: [BOS Resolution](#)
 [Willits USD Resolution](#)
 [Impact Report - Willits Unified](#)
 [Memo COB to MCSD and MCOE 1.19.17](#)
 [BOS Resolution 17-018](#)

HUMAN RESOURCES

- 40) Adoption of Resolution Authorizing Salary Grade Adjustments and Change to the Position Allocation Table as follows: Deputy Chief Executive Officer Salary Grade U42C to Salary Grade U45A; Assistant Auditor-Controller Salary Grade U42C to Salary Grade U45A; and Chief Deputy Auditor-Controller Salary Grade U40C to Salary Grade U42A**

Recommended Action:

Adopt the Resolution authorizing the salary grade adjustment and change to the Position Allocation Table the classifications of Deputy Chief Executive Officer, Assistant Auditor-Controller, and Chief Deputy Auditor Controller as submitted and; authorize the Chair to sign same.

Attachments: [Reso- Salary Grade Adjustment](#)
 [BOS Resolution 17-020](#)

PLANNING AND BUILDING SERVICES

- 4p) Approve Professional Services Contract with Taylor Code Consulting, Inc., in an Amount Not To Exceed \$150,000 for Technical Expertise and the Application and Implementation of Policies and Procedures Directly Related to Code Enforcement and the Enforcement of County Codes and Regulations Specific to Zoning, Land Use and Health and Safety**

Recommended Action:

Approval of Professional Services Agreement with Taylor Code Consulting, Inc., in an amount not to exceed \$150,000 for technical expertise and the application and implementation of policies and procedures directly related to Code Enforcement and the enforcement of County codes and regulations specific to zoning, land use and health and safety; and authorize Chair to sign same.

Attachments: [Exception to Bid](#)
 [BOS Agreement](#)
 [BOS Agreement 17-005](#)

TREASURER-TAX COLLECTOR

- 4q) Acceptance of the December 31, 2016 Report of Mendocino County Pooled Investments**

Recommended Action:

Accept the December 31, 2016 Report of Mendocino County Pooled Investments; and authorize Chair to sign same.

Attachments: [STAFF REPORT - QUARTERLY REPORT - 12-31-16](#)
 [REPORTS - DEC 2016 - HOLDINGS](#)

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.