

**CARRE BROWN**  
1st District  
Supervisor

**JOHN MCCOWEN**  
2nd District  
Supervisor  
Chair

**VACANT**  
3rd District  
Supervisor

**DAN GJERDE**  
4th District  
Supervisor

**DAN HAMBURG**  
5th District  
Supervisor  
Vice-Chair

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



**KATHARINE L. ELLIOTT**  
County Counsel

**COUNTY ADMINISTRATION CENTER**  
501 Low Gap Road, Room 1070  
Ukiah, CA 95482  
(707) 463-4441 (t)  
(707) 463-5649 (f)  
cob@co.mendocino.ca.us

**MENDOCINO COUNTY  
BOARD OF SUPERVISORS**

**BOARD OF SUPERVISORS AGENDA - **AMENDED****

**REGULAR MEETING**

**February 14, 2017 - 9:00 AM**  
**BOARD CHAMBERS, ROOM 1070**  
**COUNTY ADMINISTRATION CENTER**

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**TIMED ITEMS**

*Please note that all times provided are considered approximate*

11:00 AM Discussion and Possible Action Including Interviews with Applicants and Possible Appointments to the 4th and 6th Member Seats to the Mendocino County Employees' Retirement Association Board (Sponsor: Executive Office) (See Item 5c)

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.*

### **2a) [Adoption of Proclamation Recognizing the Centennial Anniversary of the Greenwood Civic Club \(Sponsor: Supervisor Hamburg\)](#)**

*Recommended Action:*

*Adopt Proclamation recognizing the centennial anniversary of the Greenwood Civic Club; and authorize Chair to sign same.*

**Attachments:** Proclamation

### **2b) [Adoption of Proclamation Recognizing the Month of February 2017 as Spay and Neuter Month in Mendocino County \(Sponsors: Supervisors Brown and McCowen\)](#)**

*Recommended Action:*

*Adopt Proclamation recognizing the month of February 2017 as Spay and Neuter Month in Mendocino County; and authorize the Chair to sign same.*

**Attachments:** SNAP Proclamation

### **2c) [Adoption of Proclamation Recognizing March 2017 as Women's History Month in Mendocino County \(Sponsors: Supervisors Brown and McCowen\)](#)**

*Recommended Action:*

*Adopt Proclamation recognizing March 2017 as Women's History Month in Mendocino County and further recognize the individuals to be honored at the annual Women's History Gala Celebration; and authorize Chair to sign same.*

**Attachments:** 2017 Womens History Month PROCLAMATION

**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**

- 5a) [Discussion and Possible Action Including Approval of Request to Contract with Ms. Terry N. Gross for Legal Services Within 180 Days After Her Retirement Pursuant to Government Code Section 7522.56 for an Amount Not To Exceed \\$25,000 for a Term of January 10, 2017 to January 9, 2018 \(Sponsor: County Counsel\)](#)

*Recommended Action:*

*Approve County Counsel's request to contract with Ms. Terry N. Gross for legal services within 180 after her retirement pursuant to Government Code section 7522.56 for an amount not to exceed \$25,000 for a term of January 10, 2017 to January 9, 2018.*

- Attachments:** [BOS Agreement- Terry Gross](#)  
[Staff Report \(T Gross contract\) 2.7.17](#)  
[Government Code Section 7522c f1](#)

**5b) Introduction and Waive Reading of Ordinance Amending Chapter 9.05 of Mendocino County Code Titled, "Emergency Medical Response" (Sponsor: Health and Human Services Agency)**

*Recommended Action:*

Introduce and waive reading of Ordinance amending Mendocino County Code Section 9.05 titled, "Emergency Medical Response."

**Attachments:** Mendocino EMS Ordinance 1-24-17  
Mendo EMS ordinance Draft #11 Redline 12-22-16  
EMS Ordinance Summary

**5c) Discussion and Possible Action Including Interviews with Applicants and Possible Appointments to the 4th and 6th Member Seats to the Mendocino County Employees' Retirement Association Board (Sponsor: Executive Office)**

*Recommended Action:*

Make appointments to the 4th and 6th Member seats to the Mendocino County Employees' Retirement Association Board.

**Attachments:** Anderson  
Sakowicz  
Stephens  
Weinkle  
Parker  
Public Comment

**5d) 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 (Sponsor: Planning and Building Services)**

*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.

**5e) Discussion/Presentation of the Department of Planning and Building Services Development Activity Report for the Month of January, 2017 (Sponsor: Planning and Building Services)**

*Recommended Action:*

Accept the Development Activity Report from Planning and Building Services for the month of January, 2017.

**Attachments:** 1.PBS Monthly Rpt  
2.Monthly activity SQL report search criteria  
January Agendas

5f) [Transportation Director's Report \(Sponsor: Transportation\)](#)

**Attachments:** Directors Report -- February 14, 2017

5g) [Chief Executive Officer's Report \(Sponsor: Executive Office\) \(http://www.co.mendocino.ca.us/administration/CEOReports.htm\)](#)

5h) [Discussion and Possible Action Including Review, Adoption, Amendment, Consideration or Ratification of Legislation Pursuant to the Adopted Legislative Platform\(Sponsor: Executive Office\)](#)

*Recommended Action:*

*Provide direction to staff on matters of legislation.*

5i) [Discussion and Possible Direction to Staff on Development and Adoption of an Ordinance Establishing a Chapter 9.30 Regulating the Cultivation of Recreational Cannabis Pursuant to Proposition 64 and Possible Corresponding Changes to County Code Chapter 9.31\(Sponsor: County Counsel\)](#)

*Recommended Action:*

*Provide Direction to Staff on the development and adoption of an Ordinance establishing a Chapter 9.30 regulating the cultivation of recreational cannabis pursuant to Proposition 64 and possible corresponding Changes to County Code Chapter 9.31.*

**Attachments:** CoCo Memo - 9.30 and 9.31 2.14.17  
Ordinance 4356

**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) [Informational Update, Discussion and Possible Action Including Possible Amendments to the Solid Waste of Willits \(SWOW\) - Mendocino Solid Waste Franchise Agreements Related to Possible Closures of Buy Back Centers and Transfer Stations As Directed by the Board of Supervisors on February 7, 2017](#)

*Recommended Action:*

Receive the informational update regarding Solid Waste of Willits (SWOW) - Mendocino Solid Waste Franchise Agreements related to possible closures of Buy Back Centers and Transfer Stations as directed by the Board of Supervisors on February 7, 2017, including possible direction to staff to amend said Franchise Agreements and/or direction regarding maintaining Buy Back Centers.

**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.

**WATER AGENCY**

- 7a) [Update and Discussion Regarding the Development and Structure of an Ukiah Valley Groundwater Sustainability Agency and Tentative Approval of the Organizational Chart \(Sponsor: SGMA Ad Hoc Committee\)](#)

*Recommended Action:*

Receive update regarding the development and structure of an Ukiah Valley Groundwater Sustainability Agency and tentatively approve the organizational chart.

**Attachments:** Updated Ora Chart 1.26.17

**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.

**8a) Clarification and Confirmation of Board of Supervisors Direction to Staff Regarding Draft Medical Cannabis Cultivation Ordinance Chapter 10A.17; Zoning Ordinance Chapter 20.242; California Environmental Quality Act (CEQA) Initial Study; and Williamson Act Policies and Procedures**

*Recommended Action:*

*Discuss, clarify, and confirm Board of Supervisors (BOS) direction to staff of February 7, 2017 regarding Draft Medical Cannabis Cultivation Ordinance Chapter 10A.17; Zoning Ordinance Chapter 20.242; California Environmental Quality Act (CEQA) Initial Study; and Williamson Act Policies and Procedures, Including Direction on Additional Issues Identified by the BOS or Staff.*

**Attachments:** [Memorandum](#)

**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 54957 – Public Employee Performance Evaluation – County Librarian
- 9c) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Grist Creek v. MAMQD. Mendocino County Superior Court Case No. SCUK-CVPT-15-66620
- 9d) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: The People v. Grist Creek. Mendocino County Superior Court Case No. SCUK-CVG-16-67314
- 9e) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Friends of Outlook Creek v. MAMQD. Mendocino County Superior Court Case No. SCUK-CVG-16-67449
- 9f) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Friends of Outlook Creek v. MAMQD. Mendocino County Superior Court Case No. A148508
- 9g) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Michael Johnson, et al. v. County of Mendocino. Mendocino County Superior Court Case No. SCUK-CVG-17-68711

**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) Department of California Highway Patrol- Pursuant to Health and Safety Code Section 25180.7 Report of Hazardous Waste ( for more information please contact Sergeant Timothy Willock 707-923-2155)
- 10b) Sonoma County Water Agency- Fish Habitat Flows and Water Rights Project Draft Environmental Impact Report (for more information please go to [www.scwa.ca.gov/fish-flow/](http://www.scwa.ca.gov/fish-flow/))
- 10c) Rural County Representatives of California- 2016 Annual Report (for more information please go to [www.rcrcnet.org](http://www.rcrcnet.org))



**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 Amanda Carley**

**Attachments:** [Claim of Amanda Carley.pdf](#)

ITEMS RECOMMENDED FOR APPROVAL:

**MINUTES****4b) January 10, 2017 Regular Board Meeting**

**Attachments:** [01-10-17 Minutes - DRAFT](#)

**APPOINTMENTS****4c) Approval of Recommended Appointments/Reappointments**

*Recommended Action:*

*Approve the following appointments/reappointments: Joan Rose, Anderson Valley Cemetery District, Trustee.*

**Attachments:** [Joan Rose](#)

**HEALTH AND HUMAN SERVICES AGENCY****4d) Approval of Agreement with Rural Communities Housing Development Corporation in the Amount of \$1,336,000 to Provide Mental Health Services Act (MHSA) Rental Housing to Mendocino County Residents and Clients for Health and Human Services Agency (HHS) Behavioral Health and Recovery Services (BHRS) Through December 2038**

*Recommended Action:*

*Approve Agreement with Rural Communities Housing Development Corporation in the amount of \$1,336,000 to provide Mental Health Services Act (MHSA) Rental Housing to Mendocino County residents and clients for HHS BHRS Through December 2038; and authorize HHS Director or designee to sign any future amendments to the Agreement that do not affect the annual maximum amount; and authorize Chair to sign same.*

**Attachments:** [BOS Agreement](#)

- 4e) Adoption of Resolution Authorizing Health and Human Services Agency to Enter into Grant Agreement D1614106 with the California State Water Resources Control Board in the Amount of \$30,000 for a Term Ending June 30, 2017

Recommended Action:

*Adopt Resolution authorizing Health and Human Services Agency to enter into Grant Agreement D1614106 with the California State Water Resources Control Board in the amount of \$30,000 for a term ending June 30, 2017; and authorize Purchasing Agent to sign same and any future amendments to the agreement that do not affect the annual maximum amount.*

**Attachments:** BOS Reso  
State Water Resources Grant Agreement

- 4f) Approval of Amendment to Agreement No. MH-16-022 with Canyon Manor in the Amount of \$285,000 for a New Total of \$335,000 for Services Providing Licensed Residential Treatment for Adult Behavioral Health and Recovery Services, all Other Terms and Conditions of Agreement No. MH-16-022, Purchasing Agent No. 17-59 Shall Remain in Full Force and Effect for a Term of July 1, 2016 to June 30, 2017

Recommended Action:

*Approve Amendment to Agreement No. MH-16-022 with Canyon Manor in the amount of \$285,000 for a new total of \$335,000 for services providing licensed residential treatment for adult Behavioral Health and Recovery Services, all other terms and conditions of Agreement No. MH-16-022, Purchasing Agent No. 17-59 shall remain in full force and effect for a term of July 1, 2016 to June 30, 2017; and authorize Chair to sign same.*

**Attachments:** Amendment to Agreement

## HUMAN RESOURCES

- 4g) Adoption of Resolution Authorizing Adoption of the Classifications of Supervising Deputy Probation Officer and Assistant Chief Probation Officer; Approval of Changes in Classification Title from Corrections Counselor to Juvenile Corrections Officer and from Juvenile Hall Supervisor to Supervising Juvenile Corrections Officer; and Approval of Changes to the Position Allocation Table as Follows: Probation, Budget Unit 2560 - Delete Two (2) Full-Time Equivalent (FTE) Deputy Probation Officer III; Add Two (2) FTE Supervising Deputy Probation Officer; Delete One (1) FTE Supervising Staff Assistant; and Add One (1) FTE Assistant Chief Probation Officer

Recommended Action:

*Adopt Resolution adopting the classifications of Supervising Deputy Probation Officer and Assistant Chief Probation Officer; approve the changes in classification title from Corrections Counselor to Juvenile Corrections Officer and from Juvenile Hall Supervisor to Supervising Juvenile Corrections Officer; and approve changes to the Position Allocation Table as follows: Probation, Budget Unit 2560 - delete two (2) full-time equivalent (FTE) Deputy Probation Officer III; add two (2) FTE Supervising Deputy Probation Officer; delete one (1) FTE Supervising Staff Assistant; and add one (1) FTE Assistant Chief Probation Officer; and authorize Chair to sign same.*

**Attachments:** [2.14.17 HR - Probation PAT Changes - RESO tm](#)

**PLANNING AND BUILDING SERVICES**

- 4h) Approval of Disbursement of \$25,000 of Mendocino County Fish and Game Propagation Funds for Round 1 of the 2016/2017 Project Cycle as follows:
- : \$10,000 Mill Creek Stream Bank Stabilization and Riparian Corridor Development Project by Round Valley Indian Tribes
  - : \$2,500 Education and Wildlife Rescue Programs by Woodlands Wildlife
  - : \$8,500 Sub-tidal Marine Protected Area Monitoring of Mendocino County's Rocky Reefs by Reef Check California
  - : \$4,000 Town Creek Restoration Planning and Education Project by Eel River Recovery Project

Recommended Action:

Approve the recommendations of the Mendocino County Fish and Game Commission for disbursement of \$25,000 from the Fish and Game Propagation Fund for Round 1 of the 2016/2017 project cycle as follows:

- \* \$10,000 Mill Creek Stream Bank Stabilization and Riparian Corridor Development Project by Round Valley Indian Tribes
- \* \$2,500 Education and Wildlife Rescue Programs by Woodlands Wildlife
- \* \$8,500 Sub-tidal Marine Protected Area Monitoring of Mendocino County's Rocky Reefs by Reef Check California
- \* \$4,000 Town Creek Restoration Planning and Education Project by Eel River Recovery Project.

- Attachments:** FnG update memo to BoS
- 1 Mill Creek Grant Proposal
  - 2 Woodlands Wildlife Grant Proposal
  - 3 Reef Check Grant Proposal
  - 4 ERRP Grant Proposal

- 4i) Authorize the Issuance of Coastal Development Permit, CDP 2016-0034 (Lewis), to Construct a 650 Square Foot Single Family Residence in the Town of Mendocino

Recommended Action:

Authorize the issuance of Coastal Development Permit, CDP\_2016-0034 (Lewis), for the construction of a 650 square foot Single Family Residence in the Town of Mendocino.

- Attachments:** CDP 2016-0034 (Lewis) Bos Packet

**TRANSPORTATION**

4k) [Adoption of Resolution Declaring Continuation of a Local Emergency Related to the January and February 2017 Winter Storms Event \(County Wide\)](#)

Recommended Action:

Adopt Resolution declaring continuation of a local emergency related to the 2017 Winter Storms event (County Wide); and authorize Chair to sign same.

**Attachments:**    [2017 Continuation of Emergency - February Reso](#)

## 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](http://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](http://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](http://www.co.mendocino.ca.us/bos).*

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