

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



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MENDOCINO COUNTY BOARD OF SUPERVISORS

BOARD OF SUPERVISORS AGENDA

REGULAR MEETING

May 02, 2017 - 9:00 AM

**BOARD CHAMBERS, ROOM 1070
COUNTY ADMINISTRATION CENTER**

TIMED ITEMS

Please note that all times provided are considered approximate

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 Recognizing May 2017 as Mental Health Month in Mendocino County (Sponsor: Supervisor Hamburg)**Recommended Action:**

Adopt Proclamation recognizing May 2017 as Mental Health Month in Mendocino County; and authorize Chair to sign same.

Attachments: [05-02-17 MH Month Proclamation](#)

2b) Adoption of Proclamation and Acceptance of Informational Presentation Recognizing May 7-13, 2017, as Public Service Recognition Week in Mendocino County (Sponsor: Human Resources)**Recommended Action:**

Adopt Proclamation recognizing May 7-13, 2017, as Public Service Recognition Week in Mendocino County; accept informational presentation; and authorize Chair to sign same.

Attachments: [Public Service Recognition Week Proclamation.docx](#)

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) 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.

5b) Transportation Director's Report (Sponsor: Transportation)

Attachments: [8 Directors Report -- May 2, 2017](#)

5c) Discussion and Possible Acceptance of Presentation of the Library Advisory Board Annual Report (Sponsor: Library)

Recommended Action:

Accept the report from the Library Advisory Board.

Attachments: [2017 LAB Annual Report. Final](#)

5d) Discussion and Possible Approval of the Appointment of Michael Harrie as Temporary Help to Fulfill Critically Needed Duties After his Retirement, Pursuant to Government Code (GC) 7522.56 (Sponsor: Agriculture)

Recommended Action:

Approve the appointment of Michael Harrie as temporary help to fulfill critically needed duties after his retirement, pursuant to GC 7522.56.

Attachments: [M. Harrie Rehire](#)

5e) Chief Executive Officer's Report (Sponsor: Executive Office)**5f) 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.

5g) Public Workshop - Discussion and Possible Direction to Staff Regarding a Presentation on Proposed Business License Ordinance and Zoning Regulations for the Processing, Manufacturing, Testing, Dispensing/Retail and Distribution of Medical Cannabis and Adult Use Cannabis Within the Unincorporated Areas of Mendocino County (Sponsor: Planning and Building)

Recommended Action:

Conduct Public Workshop and provide direction to staff regarding a proposed Business License Ordinance and Zoning Regulations for the processing, manufacturing, testing, dispensing/retail and distribution of medical cannabis and adult use cannabis within the unincorporated areas of Mendocino County.

Attachments: [BOS SR Memo 5.2.2017](#)
 [CANNABIS MFC 6 36 DRAFT 20170424](#)
 [CANNABIS MFC 20 243 20170424](#)

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 54956.9(a) - Conference with Legal Counsel – Existing Litigation: James Neuroth and Joan C. Nygren v. Mendocino County et. al, Case No. 15-3226 NJV

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) US Department of Commerce - Filing of the Final Coastal Multispecies Recovery Plan of the Administrative Records of Federal Energy Regulatory Commission's Potter Valley Hydroelectric Project and for Consideration as a Comprehensive Plan under Docket ZZ09-5-000.

10b) California Department of Water Resources - Water Conditions in California, Report 2: March 1, 2017.

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 Brian Hurt (Grist Creek)**

Attachments: [Brian Hurt Claim](#)

4b) Claim of Marion Phillips

Attachments: [Marion Phillips Claim](#)

ITEMS RECOMMENDED FOR APPROVAL:

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

Recommended Action:

Approve the following appointments/reappointments: Courtney Smith, Laytonville Municipal Advisory Council, Alternate Member; Rickey Iversen, Russian River Cemetery District, Trustee; and Kelsey Rivera, Area Agency on Aging - Governing Board, Mendocino County Supervisor or Designee (Appointment of Ms. Rivera includes a waiver of residency as she is a resident of Lake County).

Attachments: [Smith](#)
[Iversen](#)
[Rivera](#)

MINUTES**4d) April 17, 2017 Regular Board Meeting**

Attachments: [04-17-17 Minutes - DRAFT](#)

4e) April 18, 2017 Regular Board Meeting

Attachments: [04-18-17 Minutes - DRAFT](#)

BOARD OF SUPERVISORS

- 4f) Approval of Letter to the Governor of California in Support of the Voluntary Consolidation of the Ukiah Valley County Water Districts into the Upper Russian River Water Agency (URRWA), a Joint Powers Authority (JPA) (Sponsor: Supervisor Brown)**

Recommended Action:

Approve letter to the Governor of California in support of the voluntary consolidation of the Ukiah Valley County Water Districts into the Upper Russian River Water Agency (URRWA), a Joint Powers Authority (JPA); and authorize Chair to sign.

Attachments: [Letter of Support](#)

- 4g) Adoption of Proclamation Recognizing May 2017 as Older Americans Month in Mendocino County (Sponsors: Supervisors Brown and McCowen)**

Recommended Action:

Adopt Proclamation recognizing May 2017 as Older Americans Month in Mendocino County; and authorize Chair to sign same.

Attachments: [Older Americans Month - Proc](#)

- 4h) Adoption of Proclamation Recognizing the Human Race in Mendocino County on May 6, 2017 (Sponsors: Supervisors Brown and McCowen)**

Recommended Action:

Adopt Proclamation recognizing the Human Race in Mendocino County on May 6, 2017; and authorize Chair to sign same.

Attachments: [Human Race Day - Proclamation](#)

- 4i) Adoption of Proclamation Recognizing May 2017 as Child Care Providers Appreciation Month in Mendocino County (Sponsors: Supervisors Brown and McCowen)**

Recommended Action:

Adopt Proclamation recognizing May 2017 as Child Care Providers Appreciation Month in Mendocino County; and authorize Chair to sign same.

Attachments: [Child Care Provider Month - Proclamation](#)

- 4j) Adoption of Proclamation Recognizing May 2017 as National Drug Court Month in Mendocino County (Sponsors: Supervisors Brown and McCowen)**

Recommended Action:

Adopt Proclamation recognizing May 2017 as National Drug Court Month in Mendocino County; and authorize Chair to sign same.

Attachments: [Drug Court Month - Proclamation](#)

AGRICULTURE

- 4k) Approval of Purchase of Three (3) Toyota Tacoma SR, 4-Wheel Drive Pickups in the Amount of \$30,000.00 Each, for a Total of \$90,000.00, for the Agriculture Department-Cannabis Program and Approval of Budget Transfer from Budget Unit 2710, Line Item 861011-Salaries to Budget Unit 2710, Line Item 865802-Operating Transfer Out to Fund 7110-Vehicle Replacement Fund, Budget Unit 0711, Line Item 827802, Operating Transfer In and Budget Unit 0711, Line Item 864370-Equipment; and, Addition of Vehicles to the County's List of Fixed Assets**

Recommended Action:

Approve the purchase of three (3) Toyota Tacoma SR, 4-wheel drive pickups in the amount of \$30,000.00 each for a total amount of \$90,000.00; approve the budget transfer from budget unit 2710, line item 861011 to budget unit 2710, line item 865802-operating transfer out to Fund 7110-Vehicle Replacement Fund, budget unit 0711, line item 827802 and budget unit 0711, line item 864370-equipment; and add all three vehicles to the County's list of fixed assets.

Attachments: [RFQ 21-17 THURSTON AUTO 1](#)
 [Aq Funds Transfer Form](#)

COUNTY COUNSEL

- 4l) Adoption of Ordinance Adding Chapter 9.30 to the Mendocino County Code Regulating the Cultivation of Recreational Marijuana Pursuant to Proposition 64 and Amending Chapter 9.31 Regarding Medical Marijuana Cultivation**

Recommended Action:

Adopt Ordinance adding Chapter 9.30 to the Mendocino County Code regulating the cultivation of recreational marijuana pursuant to Proposition 64 and amending Chapter 9.31 regarding medical marijuana cultivation; and authorize Chair to sign same.

Attachments: [9.31 & 9.30 Ordinance Summary.docx](#)
 [9.31 and 9.30 clean - with 4.17.17 BOS changes](#)
 [9.31 and 9.30 Ordinance redline - with 4.17.17 BOS changes](#)
 [Affidavit of Publication](#)

- 4m) Approval of Rental Agreement Between the Mendocino County Fair and Apple Show (Association) and Sierra Nevada World Music Festival (Renter)**

Recommended Action:

Approve Rental Agreement between the Mendocino County Fair and Apple Show (Association) and Sierra Nevada World Music Festival (Renter); and authorize Chair to sign same.

Attachments: [Rental Agreement 2017](#)

HEALTH AND HUMAN SERVICES AGENCY

- 4n) Approval of Agreement with FIRST 5 Mendocino in the Amount of \$162,200 to Provide Differential Response Services for the Term of May 2017 through June 2018**

Recommended Action:

Approve Agreement with FIRST 5 Mendocino in the amount of \$162,200 to provide Differential Response services for the term of May 2017 through June 2018; authorize the HHSA Director/Chief Operations Officer to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [First Five](#)

40) Approval of Agreement with Redwood Community Services in the Amount of \$292,246 to Provide Differential Response Services for the Term of May 2017 to June 2018

Recommended Action:

Approve Agreement with Redwood Community Services in the amount of \$292,246 to provide Differential Response services for the term of May 2017 to June 2018; authorize the HHSA Director/Chief Operations Officer to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [Redwood Community Services](#)

HUMAN RESOURCES

- 4p) Adoption of Resolution Authorizing Salary Grade Adjustments to the Following Classifications: Custodian to S22C; Custodial Supervisor to S25C; Equipment Operator to S27D; Senior Equipment Operator to S29D; Heavy Equipment Service Technician to S24C; and Heavy Equipment Mechanic to S30C; Senior Heavy Equipment Mechanic to S32C**

Recommended Action:

Adopt Resolution authorizing the salary grade adjustment to following classifications: Custodian to S22C; Custodial Supervisor to S25C; Equipment Operator to S27D; Senior Equipment Operator to S29D; Heavy Equipment Service Technician to S24C; Heavy Equipment Mechanic to S30C; Senior Heavy Equipment Mechanic to S32C; and authorize Chair to sign same.

Attachments: [5.2.17 HR - Salary Grade Adjustment - Resolution](#)

SHERIFF-CORONER

- 4q) Approval of Agreement with Allied Universal Security Services in the Amount of \$245,000 to Provide Security for the Courthouses in Mendocino County for the term of November 16, 2016 through November 17, 2017**

Recommended Action:

Approve Agreement with Allied Universal Security Services in the amount of \$245,000 to provide security for the courthouses in Mendocino County for the term of November 16, 2016 through November 17, 2017; authorize the Sheriff or his designee to sign any amendments that do not increase the amount of the Agreement; and authorize Chair to sign same.

Attachments: [Universal Protection Service \\$245.000 FY 16-17 contract](#)

- 4r) Approval of Purchase of One Live Scan Machine to be Used in the Men's Booking Section at the Mendocino County Jail in the amount of \$13,773; and Approval of Budget Transfer from 2110-760199 to 2510-864370 in the amount of \$13,773**

Recommended Action:

Approve purchase of one Live Scan Machine to be used in the men's booking section at the Mendocino County Jail in the amount of \$13,773; and approve budget transfer from 2110-760199 to 2510-864370 in the amount of \$13,773

Attachments: [Live Scan RFQ quote budget transfer 4-2017](#)
 [Budget Transfer Form](#)

- 4s) Approval of Budget Transfer from 1100-770068 to 2310-864370 in the Amount of \$65,540.97 to Purchase Vehicle Equipment to Equip Vehicles for Patrol Duty and for Tactical Gear for the Mendocino County Sheriff Office (MCSO) SWAT Team**

Recommended Action:

Approve budget transfer from 1100-770068 to 2310-864370 in the amount of \$65,540.97 to purchase vehicle equipment to equip vehicles for patrol duty and for tactical gear for the MCSO SWAT Team.

Attachments: [Budaet Transfer Form Veh Outfitting & SWAT Gear](#)

- 4t) Approval of Purchase of Four (4) InFocus J-Touch Touchscreen Monitors and InFocus LightCast Keys in the Amount of \$27,791 from Fiscal Year 2016 Emergency Management Performance Grant Program (Budget Unit 2830, Line Item 862239); and Addition of the Monitors to the County's Approved List of Fixed Assets**

Recommended Action:

Approve purchase four (4) J-Touch Touchscreen Monitors with four (4) LightCast Key accessories for a total amount of \$27,791 from the Fiscal Year 2016 Emergency Management Performance Grant Program (Budget Unit 2830, Line Item 862239); and add the monitors to the County's approved list of fixed assets.

Attachments: [HVZX250.pdf](#)

PLANNING AND BUILDING SERVICES

- 4u) Approval of Agreement with Patricia Steel for Professional Services and Deliverables Related to Broadband Alliance Activities and California Advanced Services Fund (CASF) Grant Funds, in an Amount not to Exceed \$57,500 for the term of January 1, 2017 through June 30, 2019**

Recommended Action:

Approve Agreement with Patricia Steel for professional services and deliverables related to Broadband Alliance activities and California Advanced Services Fund (CASF) grant funds in an amount not to exceed \$57,500 for the term of January 1, 2017 through June 30, 2019; and authorize Chair to sign same.

Attachments: [2016-2017 Steel - BAMC Aareement](#)

4v) Approval of Private Road Name Petition RN 2017-0001: Fish Eagle Road; Officially Changing the Name of Carson Hill Road to Fish Eagle Road

Recommended Action:

Approve Road Name Petition RN 2017-0001: Fish Eagle Road; officially changing the name of Carson Hill Road to Fish Eagle Road; and direct staff to assign addresses accordingly.

Attachments: [RN 2017-0001 Location](#)
 [RN 2017-0001 Parcels](#)
 [RN 2017-0001 Petition](#)

4w) Approval of Purchase One (1) Toyota Tacoma SR, 4-Wheel Drive Pickup in the Amount of \$30,000 for the Department of Planning and Building Services-Cannabis Program and Approval of Budget Transfer from Budget Unit 2851, Line Item 861011-Salaries to Budget Unit 2851, Line Item 865802-Operating Transfer Out to Fund 7110-Vehicle Replacement Fund, Budget Unit 0711, Line Item 827802-Operating Transfer In and line item 864370-Equipment; and Addition of the Vehicle to the County's List of Fixed Assets

Recommended Action:

Approve the purchase of one (1) Toyota Tacoma SR, 4-Wheel Drive Pickup in the amount of \$30,000; approve the budget transfer from budget unit 2851, line item 861011-salaries to budget unit 2851, line item 865802-operating transfer out to fund 7110, budget unit 0711, line item 827802-operating transfer in and budget unit 0711, line item 864370-equipment; and add the vehicle to the County's list of fixed assets.

Attachments: [RFQ 21-17 THURSTON AUTO 1](#)
 [PBS Funds Transfer Form](#)

TRANSPORTATION

- 4x) Adoption of Resolution and Approval of Letter Supporting the Mendocino County Department of Transportation's Application to Receive California Federal Lands Access Program Grant Funding to Construct the East Side Potter Valley Road Reconstruction Project, Authorizing and Directing the Chair to Sign the Support Letter, and Authorizing the Director of Transportation or His Designee to Process Said Application (Potter Valley Area)**

Recommended Action:

Adopt Resolution and approve letter supporting the Mendocino County Department of Transportation's application to receive California Federal Lands Access Program Grant Funding to construct the East Side Potter Valley Road Reconstruction Project, authorizing and directing the Chair to sign the support letter, and authorizing the Director of Transportation or his designee to process said application (Potter Valley Area), and authorize Chair to sign same.

Attachments: [BOS Support Letter- CFLAP Grant Funding Application](#)
[Resolution - CFLAP Grant Funding](#)

WATER AGENCY

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.

4y) Approval of a Cooperative Agreement with the Sonoma County Water Agency in the Amount of \$100,000 to Provide Funding and Support for US Geological Survey Hydrologic Characterization, and Coupled Watershed and Groundwater Flow Model of the Russian River Watershed from October 1, 2016 to October 31, 2020

Recommended Action:

Approve Cooperative Agreement with the Sonoma County Water Agency in the amount of \$100,000 to provide funding and support for US Geological Survey Hydrologic Characterization, and Coupled Watershed and Groundwater Flow Model of the Russian River Watershed from October 1, 2016 to October 31, 2020; and authorize Chair to sign same.

Attachments: [Final Water Agency Cooperative Agreement](#)

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.

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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.