

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Chair

GEORGEANNE
CROSKEY
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
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MENDOCINO COUNTY BOARD OF SUPERVISORS

BOARD OF SUPERVISORS AGENDA - FINAL

REGULAR MEETING

August 01, 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

5a) [Adoption of Resolution Approving the Memorandum of Understanding Between the County of Mendocino and the Mendocino County Department Head Association for the term of September 1, 2017 through August 31, 2019 \(Sponsors: Executive Office and Human Resources\)](#)

Recommended Action:

Adopt Resolution approving Memorandum of Understanding between the County of Mendocino and the Mendocino County Department Head Association for the term of September 1, 2017 through August 31, 2019; and authorize Chair to sign same.

Attachments: 08-01-17 DHA Resolution
 07.13.17 DH mou 2017 final

5b) Noticed Public Hearing - Discussion and Possible Adoption of an Ordinance Amending the Mendocino County Inland Zoning Code (Title 20, Division I) to Add Chapter 20.147, Community Character (CC) Combining District, and Rezone Certain Parcels Within the C-1 (Limited Commercial) and C-2 (General Commercial) Zoning Districts to Apply the CC Combining District

Recommended Action:

Adopt Ordinance Amending the Mendocino County Inland Zoning Code (Title 20, Division I) to add Chapter 20.147, Community Character (CC) Combining District, and Rezone Certain Parcels within the C-1 (Limited Commercial) and C-2 (General Commercial) Zoning Districts to Apply the CC Combining District; and authorize Chair to sign same.

Attachments: 3.Ordinance Summary
2.OA 2016-0001 (Formula Business Ord) Redline
2.OA 2016-0001 (Formula Business Ord) FINAL
2A. Exh A. to Ord (Parcel Rezone List)
2B.EXH. B to Ord. (owner maps to rezone)
3.OA 2016-0001 & R2016-0002 (BOS Staff Memo)
3A.B.Attachment A and B to Staff Memo-Exemption Areas and Ho
Planning and Building 7.20 affidavit

5c) Discussion and Possible Adoption of Urgency Ordinance Establishing Interim Restrictions on the Establishment of Short-Term/Vacation Rentals of Residential Property Pending the Study and Consideration of Land Use and Other Regulations Pertaining to Such Rentals (Sponsors: Board of Supervisors and County Counsel)

Recommended Action:

Adopt Urgency Ordinance establishing interim restrictions on the establishment of short-term/vacation rentals of residential property pending the study and consideration of land use and other regulations pertaining to such rentals; and authorize Chair to sign same.

Attachments: Vacation Short-Term Rental Moratorium Ordinance
SUMMARY

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

Recommended Action:

Accept Transportation Director's report.

Attachments: Directors Report -- August 1, 2017

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

Recommended Action:

Make appointment to the 6th Member seat of the Mendocino County Employees' Retirement Association Board.

Attachments: Sakowicz
 Smith
 Weinkle
 Wildman

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 – Public Employee Performance Evaluation – County Counsel
- 9b) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Victoria Dalbec, et al. v. Mendocino County, et al. U.S. District Court Case No. 3:16-cv-02414 NJV
- 9c) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Ward, Margaret, et al. v. Mendocino County, et al. U.S. District Court Case No. 1:17-cv-00911 NJV
- 9d) Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator - Agency Negotiators: Carmel J. Angelo, Heather Coffman, Heidi Dunham, 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) Sonoma County Water Agency - Russian River Hydrologic Status Report July 7 - July 13, 2017. For more information, please contact Mr. Kyle Evans at (707) 547-1188.
- 10b) Sonoma County Water Agency - Russian River Hydrologic Status Report July 14 - July 20, 2017. For more information, please contact Mr. John Mendoza at (707) 547-1929.
- 10c) Federal Emergency Management Agency - Revalidation of Map Panel Determinations. For more information, please contact the FEMA Regional Office at (510) 627-7100.

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: Michael Carter, Laytonville Municipal Advisory Council, Member; Casey O'Neill, Laytonville Municipal Advisory Council, Member; and Courtney Smith, Laytonville Municipal Advisory Council, Member.

Attachments: Carter
O'Neill
Smith

COUNTY COUNSEL**4b) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Mendocino Fire Protection 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 Fire Protection District with the General Election to be held in November during even-numbered years; and authorize Chair to sign same.

Attachments: BOS Resolution - Change of Election Day
Mendocino Fire Protection District Resolution 2017-1
Mendocino Fire Protection District Impact Report
Notice to Districts 7.17.17

- 4c) Adoption of Ordinance Adding Chapter 5.180 Entitled the "Mental Health Treatment Act" to the Mendocino County Code Adopting a County Transactions (Sales) and Use Tax for the Specific Purpose of Funding Improved Services, Treatment and Facilities for Persons with Mental Health Conditions (Sponsors: Sheriff's Office; Health and Human Services Agency; Behavioral Health Advisory Board Chair' Mental Health Initiative Ad Hoc Committee (Supervisors McCowen and Hamburg); and County Counsel)

Recommended Action:

Adopt Ordinance adding Chapter 5.180 entitled the "Mental Health Treatment Act" to the Mendocino County Code adopting a County transactions (sales) and use tax for the specific purpose of funding improved services, treatment and facilities for persons with mental health conditions; and authorize Chair to sign same.

Attachments: MH Ordinance - clean version
 Ordinance Summary - clean - revised 7.18.17
 Affidavit of publication

EXECUTIVE OFFICE

4d) Adoption of the Mendocino County Assessment Appeals Board Local Rules for 2017-18Recommended Action:

Adopt the Mendocino County Assessment Appeals Board Local Rules for 2017-18.

Attachments: Mendocino County Assessment Appeals Board Local Rules 2017-

4e) Authorization to Award a Contract to LACO Associates in the Amount of \$81,460.50 for the Willits and Fort Bragg DOT Yards (Building No. 23 and No. 9) Underground Storage Tank Cleanup Project, in Accordance with the North Coast Regional Water Quality Control Board (NCRWQCB) Approved Work Plans 1TMC107 and 1TMC337 for the 2017-18 Fiscal Year; and Authorization for the Facilities and Fleet Division Manager to Act as Project Manager and Approve Change Orders for the Project, Pursuant to Public Contract Code Section 20142Recommended Action:

Authorize contract award to LACO Associates in the amount of \$81,460.50 for the Willits and Fort Bragg DOT Yards (Building No. 23 and No. 9) Underground Storage Tank Cleanup Project; authorize the Facilities and Fleet Division Manager to act as Project Manager and approve change orders for the project, pursuant to Public Contract Code Section 20142; and authorize Chair to sign same.

Attachments: LACO agreement

4f) Approval of a Ten (10) Year Lease Agreement between County of Mendocino and Ukiah Imperial LLC with a Total Value of Approximately \$1,764,000 for 9,349 Square Feet of a Building Located at 2550 N. State Street (Ukiah) to Serve as the New Location of the Mendocino County One-Stop Job Center (Sponsors: Executive Office and Health and Human Services Agency)Recommended Action:

Approve the ten (10) year lease agreement between the County of Mendocino and Ukiah Imperial LLC with a total value of approximately \$1,764,000 for 9,349 square feet of a building located at 2550 N. State Street (Ukiah) to serve as the new location of the Mendocino County One-Stop Job Center.

Attachments: Letter of Support for 2550 N State St
Final Version - Lease

HEALTH AND HUMAN SERVICES AGENCY

- 4g) [Approval of Revenue Agreement No. 17-10170 with California Department of Public Health in the Amount of \\$1,733,845 to Provide Training, Response and Recovery, and Medical/Health Leadership with Community Medical Partners in Fiscal Years 2017-2022](#)

Recommended Action:

Approve Revenue Agreement No. 17-10170 with California Department of Public Health in the amount of \$1,733,845 to provide training, response and recovery, and medical/health leadership with community medical partners in fiscal years 2017-2022; authorize Health and Human Services Agency Director or designee to sign any future amendments to Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [A Dept. of Public Health. \\$1.733.845. PH. 17-22. 17-10170.pdf](#)

- 4h) [Adoption of Resolution Authorizing Health and Human Services Agency to Apply for the No Place Like Home \(NPLH\) Technical Assistance Grant Funds from the California Department of Housing and Community Development in the Amount of \\$75,000, for Fiscal Year 2017-18; and Authorizing the Health and Human Services Agency Director or Designee to Sign Agreement, if Awarded, and Any Future Amendments that do not Increase the Annual Maximum Amount](#)

Recommended Action:

Adopt Resolution authorizing Health and Human Services Agency to apply for the No Place Like Home Technical Assistance grant funds from the California Department of Housing and Community Development in the amount of \$75,000 for FY 2017-18; authorize the Health and Human Services Agency Director or designee to sign Agreement, if awarded, and any future amendments that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [No Place Like Home Application.pdf](#)
[No Place Like home letter and information.pdf](#)
[Resolution](#)

- 4i) [Adoption of Resolution Authorizing the Health and Human Services Agency to Enter into Agreement No. 16-5028 with the California Department of Social Services for Legal Consultation in Regards to the Resource Family Approval Program for the term of January 1, 2017 through June 30, 2019, in the Amount of \\$0, and Authorizing the Director or Designee to Sign any Future Amendments to the Agreement that do not Increase the Annual Maximum Amount](#)

Recommended Action:

Adopt Resolution authorizing the Health and Human Services Agency to enter into Agreement No. 16-5028 with the California Department of Social Services for legal consultation in regards to the Resource Family Approval program for the term of January 1, 2017 through June 30, 2019, in the amount of \$0, and authorizing the Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: CDSS RFA Agreement. \$0. 16-19. SS FCS Reso.docx
RFA Legal Representation Contract.pdf

- 4j) [Approval of Agreement with Mendocino County Youth Project in the Amount of \\$189,740 to Provide Emergency Shelter Care for Young Adults Ages 18 to 21 in Fiscal Year 2017-18](#)

Recommended Action:

Approve Agreement with Mendocino County Youth Project in the amount of \$189,740 to provide emergency shelter care for young adults ages 18 to 21 in fiscal year 2017-18; authorize the Health and Human Services Agency Director or designee to sign any further amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: MCYP. \$189,740. 17-18.pdf

- 4k) [Approval of Recommendations by the Policy Council on Children and Youth/Child Abuse Prevention Commission for the Use of Funds From the County Children's Trust Fund for Fiscal Year 2017-18 for Child Abuse Prevention Activities; in the Amount of \\$13,200 to the Children's Action Committee, and \\$6,800 to Mendocino Coast Child Abuse Prevention Coordinating Council; for a Total of \\$20,000](#)

Recommended Action:

Approve recommendations by the Policy Council on Children and Youth/Child Abuse Prevention Commission for the use of funds from the County Children's Trust Fund for fiscal year 2017-18 for child abuse prevention activities; in the amount of \$13,200 to the Children's Action Committee, and \$6,800 to Mendocino Coast Child Abuse Prevention Coordinating Council; for a total of \$20,000.

Attachments: Childrens Trust Fund Proposal from the Coast May 2017.pdf
Request to PCCY for 2017-2018 CTF Funding for CAC.docx

HUMAN RESOURCES

- 4l) Adoption of Resolution Adopting Changes to the Position Allocation Table as Follows: Health and Human Services Agency (HHSA), Budget Unit (BU) 4012 - Delete Two (2) Full - Time Equivalent (FTE) Substance Abuse Counselor II; BU 4080 - Delete One (1) FTE Supervising Public Health Nurse; BU 2860 - Add One (1) FTE Senior Program Specialist, One (1) FTE Animal Control Shelter Supervisor, and One (1) FTE Animal Facility Attendant.

Recommended Action:

Adopt the Resolution adopting changes to the Position Allocation Table as follows: BU 4012 - delete two (2) FTE Substance Abuse Counselor II; BU 4080 - delete one (1) FTE Supervising Public Health Nurse; BU 2860 - add (1) FTE Senior Program Specialist, one (1) FTE Animal Control Shelter Supervisor, and one (1) Animal Facility Attendant; and authorize the Chair to sign same.

Attachments: 8.1.17 HR - PAT Changes HHSA- BU Move reso-im1

PLANNING AND BUILDING SERVICES

- 4m) [Authorization of the Issuance of Administrative Coastal Development Permit CDP 2017-0006 \(Dunbaugh\), for a Single Family Residence within the Coastal Zone, in the town of Irish Beach](#)

Recommended Action:

Authorize the issuance of Coastal Development Permit, CDP_2017-0006 (Dunbaugh), for a single family residence in the town of Irish Beach.

Attachments: CDP 2017-0006 (Dunbaugh) Notice BOS 8-1-17
STAFF REPORT CDP 2017-0006 Dunbaugh SFR 05302017bk
CDP 2017-0006 Attachments

PROBATION

- 4n) [Approval of Amendment to Agreement No. PR-P16-001 with Ford Street Project in the Amount of \\$20,000 \(For a New Total of \\$60,000\) to Provide Standard 5 Day Detoxification Treatment Services for Clients Referred by the Probation Department for Fiscal Year 2017-18](#)

Recommended Action:

Approve amendment to Agreement No PR-P16-001 with Ford Street Project in the amount of \$20,000 (for a new total of \$60,000) to provide Standard 5 Day Detoxification Treatment Services for clients referred by the Probation Department for fiscal year 2017-18; authorize the Chief Probation Officer or designee to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: FSP Amendment Detox \$20,000 FY17-18

TRANSPORTATION

- 4o) [Adoption of Resolution Approving and Levying a Special Tax for Fiscal Year 2017-2018 in the Amount of \\$46.04 on Each Parcel Within the Lakewood Lighting District of Mendocino County \(Ukiah Area\)](#)

Recommended Action:

Adopt Resolution approving and levying a Special Tax for Fiscal Year 2017-2018 in the amount of \$46.04 on each parcel within the Lakewood Lighting District of Mendocino County (Ukiah Area); and authorize the Chair to sign same.

Attachments: Resolution - Lakewood Lighting District Fiscal Year 2017/2018

- 4p) Adoption of Resolution Authorizing Department of Transportation to Advertise for Bids and Award Eight Department of Transportation Contracts to Construct 2016 and 2017 Storm Damage Permanent Repairs on Main Street, County Road 407E, Milepost 0.01; Mountain View Road, County Road 510, Milepost 14.39, Milepost 14.50, and Milepost 16.62; Branscomb Road, County Road 429, Milepost 16.80, and Milepost 21.50; Orr Springs Road, County Road 223, Milepost 36.84; Bell Springs Road, County Road 324, Milepost 3.50 (Countywide)

Recommended Action:

Adopt Resolution, authorizing Department of Transportation (DOT) to advertise for bids and award eight DOT contracts to construct 2016 and 2017 Storm Damage Permanent Repairs on Main Street, County Road (CR) 407E, milepost (MP) 0.01; Mountain View Road, CR 510, MP 14.39, MP 14.50, and MP 16.62; Branscomb Road, CR 429, MP 16.80, and MP 21.50; Orr Springs Road, CR 223, MP 36.84; Bell Springs Road, CR 324, MP 3.50 (Countywide); and Chair to sign same.

Attachments: Resolution - DOT Storm Damage FHWA

- 4q) Adoption of Ordinance Amending Section 15.12.040(B) of the Mendocino County Code - Prohibited Parking on State Highway, Adding Paragraph 15.12.040(B)(3), Prohibiting Parking on the North Shoulder of State Route 20, From the Boatyard Drive Intersection to 155 Feet East of the Boatyard Drive Intersection (Fort Bragg Area) (Sponsor: Transportation)

Recommended Action:

Adopt Ordinance amending section 15.12.040(B) of the Mendocino County Code - Prohibited Parking on State Highway, adding paragraph 15.12.040(B)(3), prohibiting parking on the north shoulder of State Route 20, from the Boatyard Drive intersection to 155 feet east of the Boatyard Drive intersection (Fort Bragg Area); and authorize Chair to sign same.

Attachments: Boatyard - Ordinance Summary
Boatyard - Ordinance Clean
Affidavit of Publication

- 4r) [Adoption of Ordinance Amending Section 15.04.030\(F\) of the Mendocino County Code - Speed Zoning on County Roads, Adding Paragraph 15.04.030\(F\) \(11\), Establishing a Forty-Five Miles per Hour Prima Facie Speed Limit on Point Cabrillo Drive, County Road 564, From Milepost 0.00 to Milepost 0.75 \(Caspar Area\) and Clarifying and Correcting Road Numbers and Repealing a Previously Vacated Road \(Sponsor: Transportation\)](#)

Recommended Action:

Adopt Ordinance amending section 15.04.030(F) of the Mendocino County Code - Speed Zoning on County Roads, adding paragraph 15.04.030(F) (11), establishing a forty-five miles per hour (MPH) prima facie speed limit on Point Cabrillo Drive, County Road (CR) 564, from milepost (MP) 0.00 to MP 0.75 (Caspar Area) and clarifying and correcting road numbers and repealing a previously vacated road; and authorize Chair to sign same.

Attachments: [Ordinance Summary](#)
 [Ordinance - Clean](#)
 [Affidavit of Publication](#)

TREASURER-TAX COLLECTOR

- 4s) [Approval of Outdoor Festival Application for the Art in the Redwoods Festival, to be Held August 10-13, 2017, in Gualala](#)

Recommended Action:

Approve the Outdoor Festival application for the Art in the Redwoods Festival to be held August 10-13, 2017, in Gualala; and authorize the Treasurer-Tax Collector to issue the Outdoor Festival license.

Attachments: [Art in the Redwoods 2017.pdf](#)

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.