

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



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MENDOCINO COUNTY
BOARD OF SUPERVISORS
BOARD OF SUPERVISORS AGENDA

REGULAR MEETING
March 27, 2018 - 9:00 AM
BOARD CHAMBERS, ROOM 1070
COUNTY ADMINISTRATION CENTER

TIMED ITEMS

Please note that all times provided are considered approximate

9:45 a.m. Discussion and Possible Action to Consider Waiving Planning and Building Services Permit Fees for the Development of Rotary Park in Mendocino and Use Permit Application and Associated Fees to Formalize the Helipad for Redwood Coast Medical Services in Gualala (refer to item 6b))

11:00 am Discussion and Possible Action Regarding Options Associated with the Formation of a Cultural Services Agency (Including Existing County Departments/Programs of Library, Museum and Parks) refer to item 5b))

Following the posting of the Agenda, all agenda item supporting documentation, including any material submitted to the Clerk after distribution of the Agenda packet, is available for public review through the Executive Office, 501 Low Gap Road, Room 1010, Ukiah, CA 95482 during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

Persons wishing to file documentation on any agenda item for the official record must submit ten (10) copies of each document to the Executive Office.

Members of the public are advised that all cell phones or electronic devices are to be silenced upon entering the Board Chambers.

1. OPEN SESSION (9:00 A.M.)

1a) Roll Call

1b) Pledge of Allegiance

2. PROCLAMATIONS

Items in this section are automatically adopted unless specifically pulled by a Supervisor. Proclamations may be presented or commented on as needed.

3. PUBLIC EXPRESSION

Members of the public are welcome to address the Board on items not listed on the agenda, but within the jurisdiction of the Board of Supervisors. The Board is prohibited by law from taking action on matters not on the agenda, but may ask questions to clarify the speaker's comment. The Board limits testimony on matters not on the agenda to 3 minutes per person and not more than 10 minutes for a particular subject at the discretion of the Chair of the Board.

Individuals wishing to address the Board under Public Expression are welcome to do so throughout the meeting. To best facilitate these items, please review and complete the public comment/speaker form available at the back of the Boardroom and present to the Clerk. If you wish to submit written comments, please provide 10 copies to the Executive Office staff, located in the County Administration Center, Room 1010. All meetings are tape-recorded, so speakers are reminded to announce their names as they approach the podium.

Public Expression

Attachments: [Farm Bureau](#)
[03-27-18 Behavior Health Correspondence.pdf](#)

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 Regarding Updates Associated with Fire Recovery Efforts in Mendocino County
(Sponsor: Executive Office)**

Recommended Action:

Receive update regarding fire recovery efforts in Mendocino County; and provide direction as appropriate.

- 5b) Discussion and Possible Action Regarding Options Associated with the Formation of a Cultural Services Agency
(Sponsor: Executive Office)**

Recommended Action:

Discuss options associated with the formation of a Cultural Services Agency and provide direction to staff regarding potential next steps.

Attachments: [Cultural Services Agency-Values](#)
[Fiscal Overview](#)
[03-27-18 Seqqel Correspondence](#)
[03-26-18 Panofsky Correspondence](#)
[03-26-18 Sacks Correspondence](#)
[03-27-18 Goodvear Correspondence](#)
[03-27-18 Weibel Correspondence](#)
[03-27-18 Bartlev Correspondence](#)
[03-27-18 Knopf Correspondence](#)
[03-2718 Chernev Correspondence](#)

**5c) Noticed Public Hearing- Discussion and Possible Action Including Adoption of Ordinance Amending Section 20.243.070 - Exceptions, of Chapter 20.243, Cannabis Facilities and Adoption of Resolution Adopting Amendments to the Mendocino County Policies and Procedures for Agricultural Preserve and Williamson Act Contracts
(Sponsors: County Counsel and Planning and Building Services)**

Recommended Action:

Adopt Ordinance Amending Section 20.243.070 - Exceptions, of Chapter 20.243, Cannabis Facilities; Adopt Resolution Adopting Amendments to the Mendocino County Policies and Procedures for Agricultural Preserves and Williamson Act Contracts; and authorize Chair to sign same.

Attachments: Ordinance
Ordinance Redline
06 OA 2018-0003 Fac Exception WilliamsonActPoliciesCanna re
Resolution - Amending Williamson Act Policies
08 OA 2018-0003 Fac Exception WilliamsonActPoliciesCanna Fir
Public Notice OA 2018-0003 (Cannabis Fac. Amend) BOS 3-27-1
01 OA 2018-0003 SR BOS Cannabis Fac. Amend.Aq Preserve.M
02 OA 2018-0003 SR PC Cann Fac Exceptions.Aq Pol Amend. F
Signed Proof of Publication OA 2018-0003
OA 2018-0003 (Cann. Fac. Amend) SIGNED FINAL RESOLUTIO
03-26-18 Flow Kana Correspondence
03-27-18 O'Neill

**5d) Chief Executive Officer's Report
(Sponsor: Executive Office)**

Attachments: CEO Report 03-27-18 Edition

**5e) Discussion and Possible Action Including Further Direction Regarding Possible Amendments to the Cannabis Business Tax Ordinance - Chapter 6.32
(Sponsors: Treasurer-Tax Collector and County Counsel)**

Recommended Action:

Provide direction to staff regarding possible updates to the Cannabis Business Tax Ordinance prior to the first reading of Chapter 6.32 amendments.

Attachments: STAFF REPORT - CHAPTER 6.32 - BOS 3-27-18
CHAPTER 6.32 REDLINE 3-27-18
STAFF REPORT - CANNABIS BUS TAX PROPOSED AMENDME

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 Regarding Informational Update on the Implementation of the Mendocino County Cannabis Cultivation Program and Cannabis Compliance and Code Enforcement Unit

(Sponsor: Agriculture)

Recommended Action:

Accept implementation update regarding the Mendocino County Cannabis Cultivation Program and Cannabis Compliance and Code Enforcement Unit and, as necessary, provide direction on implementation.

Attachments: [County of Mendocino Cannabis Program Update](#)

5h) Discussion and Possible Action Regarding Informational Presentation on the 1 Laptop Program for Eligible Mendocino County Foster Youth, Ages 16 to 21
(Sponsors: Supervisor Brown and Health and Human Services Agency)

Recommended Action:

Receive informational presentation on the 1 Laptop Program for eligible Mendocino County foster youth, ages 16 to 21.

Attachments: [Presentation](#)

5i) Discussion and Possible Action Including Approval of Transmitting Letter Rejecting All Bids Received for the Administration Center Roof and HVAC Replacement Project - South Wing (Bid Number 81-18) and Direction to Staff to Rebid the Project in Two or More Phases
(Sponsor: Executive Office)

Recommended Action:

Approve transmission of letter rejecting all bids for the Administration Center roof and HVAC replacement project- South wing (bid number 81-18); authorize Chair to sign same; and further, direct staff to rebid the project in two or more phases.

Attachments: [02-28-18 - Reiect All Admin Bids](#)
[Bid Protest Admin Roof and HVAC Southwest](#)
[Bid Protest Mendocino County - Roofers Union](#)
[County Response to Bid Protest Roofers Union](#)
[County Response to Bid Protest Southwest](#)

6. BOARD OF SUPERVISORS AND MISCELLANEOUS

**6a) Discussion and Possible Action Regarding Progress Report from AT&T on Connect America Fund (CAF) Phase II Buildout in Mendocino County and Insights from the Redwood Complex Fire
(Sponsor: Supervisor Hamburg)**

Recommended Action:

Accept presentation from AT&T regarding Connect America Fund (CAF) Phase II buildout in Mendocino County and insights from the Redwood Complex Fire.

Attachments: [AT&T Presentation](#)

**6b) Discussion and Possible Action to Consider Waiving Planning and Building Services Permit Fees for the Development of Rotary Park in Mendocino and Use Permit Application and Associated Fees to Formalize the Helipad for Redwood Coast Medical Services in Gualala
(Sponsor: Supervisor Hamburg)**

Recommended Action:

Approve Planning and Building Services fee waivers for the development of Rotary Park in Mendocino and Use Permit application and associated fees to formalize the helipad for Redwood Coast Medical Services in Gualala.

Attachments: [RCMS Project Fees](#)
[Rotary Fees](#)
[EST2017-0714 and 0715 Rotary](#)

**6c) Discussion and Possible Action Including Adoption of Mendocino County's 2018 Legislative Platform
(Sponsors: Supervisors Brown and Gjerde)**

Recommended Action:

Adopt the Mendocino County 2018 Legislative Platform.

Attachments: [Draft 2018 Legislative Platform](#)

6d) 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 - 1 case, David Walsh, et al. v. Ignacio Gonzales, et al. Case No. SCUK-CVPT-2018-70492-1

9b) Pursuant to Government Code Section 54956.9d(2) – Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation – Two Cases

9c) Pursuant to Government Code Section 54957 – Public Employee Appointment – Agricultural Commissioner / Sealer of Weights and Measures

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

10. COMMUNICATIONS RECEIVED AND FILED

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

10a) California State Water Resources Control Board - Notice of Application 31988. For more information, please contact Mr. Jon Rohrbough at Jon.Rohrbough@waterboards.ca.gov.

10b) U.S. Forest Service, Notice of Release of Comprehensive River Management Plan. for more information, please contact Punky Moore, Public Affairs Officer at (530) 934-1137, or sjmoore@fs.fed.us.

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 William Knight**

Attachments: [Notice of Claim Redacted](#)

4b) Claim of Javier Sandoval

Attachments: [Notice of Claim Redacted](#)

ITEMS RECOMMENDED FOR APPROVAL:

MINUTES**4c) March 13, 2018, Regular Meeting**

Attachments: [03-13-18 Minutes - DRAFT.pdf](#)

EXECUTIVE OFFICE**4d) Adoption of Resolution Declaring the Continuation of a Local Emergency Related To the Redwood Complex Fire**

Recommended Action:

Adopt Resolution declaring the continuation of a Local Emergency related to the Redwood Complex Fire; and authorize Chair to sign same.

Attachments: [Local Emergency Resolution](#)

BOARD OF SUPERVISORS

- 4e) Approval of Letter to Assemblywoman Quirk-Silva in Support of Assembly Bill 2463; “Funding for California’s Small Business Development Center and Women’s Business Centers”
(Sponsor: Supervisor Hamburg)**

Recommended Action:

Approve letter to Assemblywoman Quirk-Silva in support of Assembly Bill 2463, "Funding for California's Small Business Development Center and Women's Business Centers"; and authorize Chair to sign same.

Attachments: [03-27-18 Quirk AB2463 Support Letter](#)
[AB 2363](#)

- 4f) Adoption of Resolution of the Mendocino County Board of Supervisors in Support of Proposed United States Bike Route 95 on the Pacific Coast
(Sponsors: Supervisors Hamburg and Gjerde)**

Recommended Action:

Adopt Resolution in support of the proposed United States Bike Route, located on the Pacific Coast; and authorize Chair to sign same.

Attachments: [Resolution in Support of Pacific Coast Bike Route](#)

COUNTY COUNSEL

- 4g) Approval of Amendment to Purchasing Agent Agreement No. 18-75 with Liebert Cassidy Whitmore to Provide Legal/Conflict Counsel Services in the Amanda Carley v. County of Mendocino Lawsuit in the Amount of \$25,000 For a New Total Agreement Amount of \$75,000**

Recommended Action:

Approve amendment to Purchasing Agent Agreement No. 18-75 with Liebert Cassidy Whitmore to Provide Legal/Conflict Counsel Services in the Amanda Carley v. County of Mendocino lawsuit in the amount of \$25,000 for a new total Agreement Amount of \$75,000; and authorize Chair to sign same.

Attachments: [Amendment to PA #18-75](#)

4h) Adoption of Resolution of the Mendocino County Board of Supervisors Rescinding Resolution Numbers 15-054 and 15-087 Related to Certain Property Located Near Longvale (APN 036-190-26)

Recommended Action:

Adopt Resolution of the Mendocino County Board of Supervisors rescinding Resolution numbers 15-054 and 15-087 related to certain property located near Longvale (APN 036-190-26); and authorize Chair to sign same.

Attachments: [Resolution - Rescind Prior GCA Resolutions](#)
 [Reso No. 15-054](#)
 [Reso No. 15-087](#)
 [BOS Agreement 18-022](#)

HEALTH AND HUMAN SERVICES AGENCY

- 4i) Adoption of Resolution Approving Retroactive Grant Agreement D1714106 with the California State Water Resources Control Board in the Amount of \$30,000 to Provide Beach Water Monitoring and Public Notification for the Period of July 1, 2017 Through June 30, 2018; Authorization for the Health and Human Services Agency Director or Designee to Sign Agreement and any Renewals or Amendments that do not Exceed the Annual Maximum Amount; and Direction for the Auditor Controller to Increase Appropriation of Expenditures in an Existing Budget Unit, or Establish a New Budget Unit, Specifically for Grant Agreement D1714106**

Recommended Action:

Adopt Resolution approving retroactive grant Agreement D1714106 with the California State Water Resources Control Board in the amount of \$30,000 to provide beach water monitoring and public notification for the period of July 1, 2017 through June 30, 2018; authorize the Health and Human Services Agency Director or designee to sign agreement and any renewals or amendments that do not exceed the annual maximum amount; direct the Auditor Controller to increase appropriation of expenditures in an existing budget unit, or establish a new budget unit, specifically for grant Agreement D1714106; and authorize Chair to sign same.

Attachments: [CA State Water Resources Control Board. \\$30,000. 17-18. PH EH](#)
[CA State Water Resources Control Board](#)

- 4j) Adoption of Resolution Reaffirming the Existence of Local Health Emergency as Proclaimed by the Local Health Officer**

Recommended Action:

Adopt Resolution reaffirming the existence of Local Health Emergency as proclaimed by the Local Health Officer; and authorize Chair to sign same.

Attachments: [Local Health Emergency Reso 3.19.18](#)

HUMAN RESOURCES

- 4k) Adoption of Resolution Authorizing Adoption of the Classifications of Assessor-Clerk-Recorder Technician I and II, and Approval of Changes to the Position Allocation Table as Follows: Clerk-Recorder, Budget Unit (BU) 1941 - Delete Three (3) Full-Time Equivalent (FTE) Staff Assistant III; Add Three (3) FTE Assessor-Clerk-Recorder Technician II; Micrographics, BU 1944 - Delete One (1) FTE Micrographics Supervisor; Add One (1) FTE Assessor-Clerk-Recorder Technician II; and Authorization for the Reclassification and Salary Adjustment of the Affected Incumbents**

Recommended Action:

Adopt Resolution adopting the classifications of Assessor-Clerk-Recorder Technician I and II, and authorizing changes to the Position Allocation Table as Follows: Clerk-Recorder, BU 1941 - delete three (3) FTE Staff Assistant III; add three (3) FTE Assessor-Clerk-Recorder Technician II; Micrographics, BU 1944 - delete one (1) FTE Micrographics Supervisor; add one (1) FTE Assessor-Clerk-Recorder Technician II; authorize Chair to sign same; and authorize the reclassification and salary adjustment of the affected incumbents.

Attachments: [3.27.17 HR ACR Tech New Classes - Reso tm](#)

- 4l) Adoption of Resolution Amending Salary Grade and Position Allocation Table as Follows: Assistant Chief Probation Officer from Salary Grade MA43 to Salary Grade U43Z**

Recommended Action:

Adopt resolution amending Salary Grade and Position Allocation Table as follows: Assistant Chief Probation Officer from Salary Grade MA43 to Salary Grade U43Z; and authorize Chair to sign same.

Attachments: [2018.3.27 HR ACPO Salary Grade and PAT Change - Reso ic](#)

- 4m) Adoption of Resolution Authorizing Adoption of the Classifications of Road Maintenance Worker I/II/III/IV/V-Lead and Road Maintenance Supervisor I/II/III; Salary Grade Revisions as Follows: Heavy Equipment Service Technician from S23C to S26B, Heavy Equipment Mechanic from S29C to S32B, Senior Heavy Equipment Mechanic from S31C to S34B, Equipment Superintendent from S34C to S37B, Maintenance Operations Coordinator from MA36 to MA39; Abolishment of the Classifications of Road Crew Worker, Equipment Operator, Senior Equipment Operator, Bridge Crew Worker, Bridge Crew Supervisor, Road Crew Supervisor and Senior Road Crew Supervisor; Modifications to the Position Allocation Table; and Reclassification or Salary Revision of Affected Incumbents**

Recommended Action:

Adopt Resolution authorizing the adoption of the classifications of Road Maintenance Worker I/II/III/IV/V-Lead and Road Maintenance Supervisor I/II/III; salary grade revisions as follows: Heavy Equipment Service Technician from S23C to S26B, Heavy Equipment Mechanic from S29C to S32B, Senior Heavy Equipment Mechanic from S31C to S34B, Equipment Superintendent from S34C to S37B, Maintenance Operations Coordinator from MA36 to MA39; abolishment of the classifications of Road Crew Worker, Equipment Operator, Senior Equipment Operator, Bridge Crew Worker, Bridge Crew Supervisor, Road Crew Supervisor and Senior Road Crew Supervisor; modifications to the Position Allocation Table; and reclassification or salary revision of affected incumbents, and authorize Chair to sign same.

Attachments: [2018.3.27 HR DOT Road Maintenance New Classes and Equipme](#)
[03-27-18 Road and Bridge Crew Correspondence.pdf](#)

- 4n) Adoption of a Resolution Adopting the Classification of Director Animal Control Salary Grade D45B and Amending the Position Allocation Table as Follows: Budget Unit 2860 Delete One (1) FTE Animal Shelter Manager; Add One (1) FTE Director Animal Control**

Recommended Action:

Adopt Resolution adopting classification of Director Animal Control Salary Grade D45B and amending the Position Allocation Table as follows: Budget Unit 2860, delete one (1) FTE Animal Shelter Manager; add one (1) FTE Director Animal Control; and authorize Chair to sign same.

Attachments: [2018.3.27 HR Animal Care Position Allocation Table Change - Re:](#)

4o) Approval of Retroactive Amendment to Human Resources Agreement Number H14-002 with Anthem Blue Cross JJA PPO Network, Revising and Replacing Schedule A of the Client Joinder Agreement Effective January 1, 2018

Recommended Action:

Approve retroactive Amendment to Human Resources Agreement Number H14-002, with Anthem Blue Cross JAA PPO Network, revising and replacing schedule A of the Client Joinder Agreement effective January 1, 2018; and authorize Chair to sign same.

Attachments: [Anthem 2018 Agreement to BOS](#)

4p) Adoption of a Resolution Amending Resolution No. 10-006 Implementing the Terms and Conditions of Employment For Unrepresented Management Employees and Exempt Elected Officials

Recommended Action:

Adopt Resolution amending Resolution No. 10-006 implementing the terms and conditions of employment for Unrepresented Management employees and exempt Elected Officials; and authorize Chair to sign same.

Attachments: [2018.3.27 HR Amendment to Resolution 10-006 Reso](#)

TRANSPORTATION

4q) Adoption of Resolution Approving Department of Transportation Agreement Number 170052 in the Amount of \$5,500, with and Accepting the Grant Deed Conveying Real Property from Constellation Brands U.S. Operations, Inc., for the Acquisition of Rights of Way Needed for Construction of the Ackerman Creek Bridge Replacement on North State Street, Project Number A-1101, Located on North State Street, County Road 104, Milepost 0.97 (Ukiah Area)

Recommended Action:

Adopt Resolution approving Department of Transportation (DOT) Agreement Number (No.) 170052 in the amount of \$5,500, with and accepting the Grant Deed conveying real property from Constellation Brands U.S. Operations, Inc., for the acquisition of rights of way needed for construction of the Ackerman Creek Bridge Replacement on North State Street, Project Number A-1101, Located on North State Street, County Road (CR) 104, Milepost (MP) 0.97 (Ukiah Area); and authorize Chair to sign same.

Attachments: [Letter - DOT Contract No. 170052](#)
[Resolution - DOT Contract No. 170052](#)
[Grant Deed - DOT Contract No. 170052](#)
[ROW Agreement - DOT Contract No. 170052](#)

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 email your documentation to bos@mendocinocounty.org; or submit a hard copy to the Executive Office at least 5 business days in advance of the meeting.

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.mendocinocounty.org/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: <https://mendocino.legistar.com>, or visit the County YouTube channel. For technical assistance, please contact the Clerk of the Board at (707) 463-4441.

Please reference the departmental website to obtain additional resource information for the Board of Supervisors: www.mendocinocounty.org/bos.

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