

**CARRE BROWN**  
1st District  
Supervisor  
Chair

**JOHN MCCOWEN**  
2nd District  
Supervisor

**JOHN HASCHAK**  
3rd District  
Supervisor  
Vice-Chair

**DAN GJERDE**  
4th District  
Supervisor

**TED WILLIAMS**  
5th District  
Supervisor



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**MENDOCINO COUNTY**  
**BOARD OF SUPERVISORS**  
**BOARD OF SUPERVISORS AGENDA**

**REGULAR MEETING**  
**March 19, 2019 - 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*

10:30 A.M. Discussion and Possible Action Regarding Presentation on "The Climate Reality Project" Slide Show (refer to agenda item 6c))

11:10 A.M. Presentation, Discussion and Possible Action Regarding Mendocino County's Commitment to Fight Climate Change (refer to agenda item 6d))

2:00 P.M. Noticed Public Hearing - Discussion and Possible Action on General Plan Amendments (refer to agenda 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**

### **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 First Amendment to Board of Supervisors Agreement 15-071 with Cold Creek Compost Increasing Tipping Fees for Composting Services, Effective March 19, 2019, through December 31, 2022; and Approval of Pass-Through Rate Adjustment with Solid Wastes of Willits (SWOW)  
(Sponsor: Solid Waste)**

*Recommended Action:*

*Approve first amendment to BOS Agreement No. 15-071 with Cold Creek Compost to increase tipping fees for composting services, effective March 19, 2019, through December 31, 2022; and approve pass-through rate adjustment with SWOW.*

- Attachments:** [Cold Creek Request for Fee Increase](#)  
[Fort Braaa Analysis](#)  
[Aareement 15-071](#)  
[Amendment to BOS Aareement](#)  
[Pass-through Rate Adiustment-CCC](#)

- 5b) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Ordinances and Resolutions on General Plan Amendment Including the Following Sub-Items: (1) General Plan Amendment and Rezoning with a Contract Rezone (GP\_2014-0002/R\_2014-0003 - Adkinson), Located at 8800 Highway 128, Philo (APNs: 046-070-26, 046-070-27, & 046-070-28) and (2) General Plan Amendment and Rezoning (GP\_2006-0008/R\_2006-0012 - Moores), Located Within the General Region of the Irish Beach Subdivision (APNs: 131-110-04, 07, 16, 17, and 36, 132-210-37, 38, 39, 40, and 41, and 132-320-06, 07, 24, 26, 27, 42, 43, & 45) (Sponsor: Planning & Building Services)**

Recommended Action:

*(1) Adopt a Resolution Adopting a Mitigated Negative Declaration for a General Plan Amendment and Rezoning (GP\_2014-0002/R\_2014-0003 - Adkinson), Located at 8800 Highway 128, Philo (APNs: 046-070-26, 046-070-27, & 046-070-28) and authorize Chair to sign same; (2) Adopt a Resolution approving General Plan Amendment GP\_2014-0002 (Adkinson) and denying General Plan Amendment GP\_2006-0008 and authorize Chair to sign same; (3) adopt Ordinance changing the zoning of 12.01□ acres (APNs: 046-070-26, -27, -28) from Rural Residential - 5 acre minimum with a Flood Plain combining district (RR-5:FP) and Rural Community with a Flood Plain combining district (RC:FP) to General Commercial - with a Contract Rezone and Flood Plain combining district (C-2:CR[FP]) and authorize Chair to sign same; (4) Adopt Ordinance changing the Inland Zoning of portions of APNs 131-110-16 and 17 from Range Land to Timberland Production and authorize Chair to sign same; (5) Adopt Ordinance changing the Coastal Zoning of APN 131-110-07 from Forest Lands to Timberland Production Zoning District and changing the zoning on a portion of APNs 132-210-37, 38, 39, 40, and 41 from Range Lands to Timberland Production and authorize Chair to sign same; and (6) Adopt Resolution authorizing Planning and Building Services to submit a Local Coastal Program Amendment Application to the California Coastal Commission for GP\_2006-0008/R\_2006-0012 and authorize Chair to sign same.*

- Attachments:** Adkinson.Moores BOS Planning & Building 6296734 affidavit
1. Combined Moores.Adkinson Memo Revised 3.14.2019
  2. GP 2014-0002.R-2014-0003 MND Reso
  - 2A. Ex. A - GP 2014-0002 and R 2014-0003 (Adkinson) Initial Stu
  3. GP 2014-0002.GP 2006-0008 Combined GPA Reso
  - 4.GP 2014-0002.R 2014-0003 Rezone Ordinance FINAL
  - 4A. R 2014-0003 Rezone Ord Exhibit A
  - 4B. GP 2014-0002 and R 2014-0003 Ord Exhibit B Contract
  - 5.BOS COASTAL REZONE ORDINANCE-GP 2006-0008 FL160 to
  - 5A.BOS EXH. TO ORDINANCE-GP 2006-0008 Exhibit A.B.C (Coa
  - 6.BOS REZONE ORD.INLAND-GP 2006-0008 Inland RL to TPZ F
  - 6A.BOS REZONE EXHIBIT INLAND-GP 2006-0008 Exhibit A (Inla
  - 7.BOS RESO GP 2006-0008 LCP FINAL
  8. GP 2014-0002.R 2014-0003 BOS Staff Memo FINAL
  - 8A. GP 2014-000.R 2014-0003 (ADKINSON) SIGNED PC RESO
  - 8B. GP 2014-0002 and R 2014-0003 (Adkinson) PC Complete Pa
  9. GP 2006-0008.R 2006-0012 (Moores) BOS Memo FINAL
  - 9A.Planning Commission Adopted Reso PC 2018-0039
  - 9B1. GP 2006-0008 (Moores) PC Packet
  - 9B2. PC CORRESPONDENCE. 12-5-18
  - 9B3.REVISED PC MEMO FOR MOORES-distributed at hearing
  - 9C. APPROVED PC Meeting Minutes - 11-27-18 Special Meeting
  - DRAFT Planning Commission Minutes - 11-27-18 Special Meeting
  - 03-18-19 Emrick Correspondence
  - 03-19-19 Moores Correspondence

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

**Recommended Action:**

*Accept the Chief Executive Officer's report.*

**5d) 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.*

**6. BOARD OF SUPERVISORS AND MISCELLANEOUS**

**6a) Discussion and Possible Action Regarding Approval of Information Services Efficiency and Modernization Items  
(Sponsor: Supervisor Williams)**

Recommended Action:

*Direct staff to collaborate with Supervisor Williams on the prioritization of the County's IT Master Plan initiatives and business process improvements, and consider the feasibility of incorporating potential new efficiency and modernization items, to return to the Board of Supervisors with an updated IT Master Plan implementation strategy and cost analysis.*

**6b) Discussion and Possible Action Regarding Direction to Chief Executive Officer About Hiring Practices (Sponsor: Supervisor Williams)**

Recommended Action:

*Direct Chief Executive Officer to produce monthly hiring reports, document the necessity of every open position and prior to upcoming budget decisions, provide a realistic projection of which positions will actually be filled in the coming fiscal year.*

**6c) Discussion and Possible Action Regarding a Presentation on “The Climate Reality Project” Slide Show  
(Sponsors: Supervisors Williams and Haschak)**

Recommended Action:

*Accept presentation on "The Climate Reality Project" slide show.*

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

**6d) Presentation, Discussion and Possible Action Regarding Mendocino County’s Commitment to Fight Climate Change, the Formation of a Climate Action Advisory Committee to Engage Public Participation and Support Community Climate Change Preparedness, Assess Green House Gas Emissions and Carbon Storage Baseline Conditions, Explore and Recommend Short and Long Term Priorities for Green House Gas Emissions Reductions and Carbon Storage Projects, and Explore Potential Funding Sources  
(Sponsor: Supervisor McCowen)**

Recommended Action:

*Accept the presentation of the Climate Action Start-up Group; endorse in principle the proposal presented; direct staff to schedule a subsequent workshop/presentation on the formation and structure of the Climate Action Advisory Committee, explore funding sources, and initiate discussions with the Mendocino County Resource Conservation District regarding a contract for services to staff the Committee.*

**Attachments:** [MendoCty Climate Committee Proposal](#)  
[03-19-19 Sierra Club Correspondence](#)

**6e) Discussion and Possible Action Including Direction to Staff Regarding Development of an Indoor Cannabis Cultivation Use Permit Process for Phase One Applicants Subject to Sunset Provision in Section 10A.17.080(2)(b) of the Mendocino Cannabis Cultivation Ordinance (Sponsor: Supervisor Williams)**

Recommended Action:

*Direct staff to develop an indoor cannabis cultivation use permit process for phase one applicants subject to the sunset provision in section 10A.17.080(2)(b) of the Mendocino Cannabis Cultivation Ordinance.*

**Attachments:** 03-17-19 Green Correspondence  
03-17-19 Hester Correspondence  
03-17-19 Johnson Correspondence  
03-17-19 Palmer Correspondence  
03-18-19 Carter Correspondence  
03-17-19 Moon Correspondence  
03-18-19 Carson Correspondence  
03-18-19 E. Little Correspondence  
03-18-19 Levine Correspondence  
03-18-19 M. Little Correspondence  
03-19-19 Taylor Correspondence  
03-19-19 McLean Correspondence  
03-19-19 Niderost Correspondence  
03-19-19 Andes Correspondence  
03-19-19 Andrews Correspondence  
03-19-19 Hock Correspondence  
03-19-19 Rosenqarten Correspondence  
03-19-19 O'Neill Correspondence

**6f) 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 54957.6 - Conference with Labor Negotiator - Agency Negotiators: Carmel J. Angelo, Heidi Dunham, Cherie Johnson and Donna Williamson; Employee Organization(s): All
- 9b) Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator; Property/Physical Address: Rivino Ranch Road, (Frontage Road E) Ukiah, CA (APN 184-210-RW); Parties: County of Mendocino; Agency Negotiators: Carmel J. Angelo and Janelle Rau; Under Negotiation: Surplus/Sale of Real Property
- 9c) Pursuant to Government Code Section 54956.9(b) - Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation - 1 case
- 9d) Pursuant to Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation - Jessica McCall v. Mendocino County, District Attorney's Office et al., Case No. SCUK-CVG-18-70457

**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.*

**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:*

- 1. Mr. Robert Juengling, Member, Gualala Municipal Advisory Council; and
- 2. Ms. Christa Roderick, Member, Hopland Municipal Advisory Council.

**Attachments:**     [Roderick Application](#)



**MINUTES**

**4b) Approval of Minutes of March 12, 2019, Regular Meeting**

Recommended Action:

Approve minutes of the March 12, 2019, regular meeting.

Attachments: [03-12-19 Minutes - DRAFT](#)

**EXECUTIVE OFFICE**

**4c) Authorization to Purchase and Add Public Safety Radio Voting Comparators in the Amount of \$52,521 to the County's Fixed Asset List**

Recommended Action:

Authorize the purchase and addition of public safety radio voting comparators in the amount of \$52,521 to the County's fixed asset list.

**4d) Authorization to Purchase and Add the District Attorney/Mendocino County Sheriff's Office Firewalls in the Amount of \$20,847 for Criminal Justice Information Services (CJIS) Compliance to the County's Fixed Asset List**

Recommended Action:

Authorize the purchase and addition District Attorney/Mendocino County Sheriff's Office firewalls in the amount of \$20,847 for CJIS compliance to the County's fixed asset list.

**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](mailto: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](http://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](http://www.mendocinocounty.org/bos).*

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