

**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



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

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

**BOARD OF SUPERVISORS AGENDA**

**REGULAR MEETING**

**April 09, 2019 - 9:00 AM**

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

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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.

**TIMED ITEMS**

*Please note that all times provided are considered approximate*

**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.*

**3a) 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 Regarding an Update to the Board of Supervisors from the Mental Health Treatment Act Citizen's Oversight Committee on Progress Since the March 12, 2019 Update (Sponsor: Executive Office)****Recommended Action:**

*Accept update from the Mental Health Treatment Act Citizen's Oversight Committee; and provide direction as appropriate.*

- 5b) Discussion and Possible Action Including Adoption of Resolution Adopting the New Classification of Cadastral Mapping and Title Technician, Abolishment of Existing Classification of Mapping Coordinator and Amending Position Allocation Table as Follows: Assessor Budget Unit 1120 - Add 1.0 FTE Cadastral Mapping and Title Technician, Delete 1.0 FTE Mapping Coordinator (Sponsor: Human Resources)**

Recommended Action:

*Adopt Resolution adopting the new classification of Cadastral Mapping and Title Technician, abolishment of existing classification of Mapping Coordinator and amending Position Allocation Table as follows: Assessor Budget Unit 1120 - add 1.0 FTE Cadastral Mapping and Title Technician, delete 1.0 FTE Mapping Coordinator; and authorize Chair to sign same.*

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

- 5c) Discussion and Possible Action Including Adoption of Resolution Amending the Position Allocation Table as Follows: Budget Unit 2090 - Child Support Services - Delete 1.0 FTE Staff Assistant II, 1.0 FTE Supervising Legal Secretary; Add 2.0 FTE Staff Assistant III (Sponsor: Human Resources)**

Recommended Action:

*Adopt Resolution amending the Position Allocation Table as follows: Budget Unit 2090 - Child Support Services- delete 1.0 FTE Staff Assistant II, 1.0 FTE Supervising Legal Secretary; add 2.0 FTE Staff Assistant III; and authorize Chair to sign same.*

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

- 5d) Discussion and Possible Action Regarding an Actuarial Evaluation to Determine Potential Unfunded Actuarial Accrued Liability (UAAL) Savings by Providing Early Contributions to Retirement System (Sponsor: Executive Office)**

Recommended Action:

*Direct staff to obtain an actuarial study to identify potential UAAL savings for Retirement System by providing earlier than required contributions.*

- 5e) Discussion and Possible Action Including Acceptance of Presentation on an Update on the Mendocino College Gateway at Hensley Creek Road, Part of the "Gateway Revitalization Project" Regarding Changeable Message Sign and Addition of Traffic Signals to Lighting System Under Memorandum of Understanding, Board Agreement Number 08-214/Department of Transportation Agreement Number 080109 with the Mendocino-Lake Community College District (Ukiah Area)  
(Sponsor: Transportation)**

Recommended Action:

*Accept presentation on an update on Mendocino College gateway at Hensley Creek Road, part of the "Gateway Revitalization Project" regarding changeable message sign and addition of traffic signals to lighting system under Memorandum of Understanding, Board Agreement Number 08-214/Department of Transportation Agreement Number 080109 with the Mendocino-Lake Community College District (Ukiah Area); and provide direction as appropriate.*

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

- 5f) Discussion and Possible Action Including Acceptance of Cultural Services Agency Update and Adoption of New Policies Including Proposed Cultural Services Agency Mission Statement, and Museum: Mission Statement, Code of Ethics, Visitor Behavior Policy, and Collections Policy  
(Sponsor: Cultural Services Agency)**

Recommended Action:

*Accept the Cultural Services Agency update and adopt new policies including the proposed Cultural Services Agency Mission Statement, and Museum: Mission Statement, Code of Ethics, Visitor Behavior Policy, and Collections Policy.*

**Attachments:** [Cultural Services Agency Mission Statement](#)  
[Museum Mission Statement](#)  
[Museum Code of Ethics](#)  
[Museum Collections Policy](#)  
[Museum Visitor Behavior Policy](#)  
[CSA Update 4.9.19](#)

- 5g) Discussion and Possible Action Regarding Confirmation of Proposed Goals and Priorities for Planning and Building Services in Fiscal Year 2019-20  
(Sponsor: Planning and Building Services)**

Recommended Action:

*Receive presentation regarding proposed goals and priorities for Planning and Building Services in fiscal year 2019-20; and provide direction as needed.*

**5h) Discussion and Possible Action Including Approval of the 2018-19 Annual Update to the Mental Health Services Act Three-Year Program and Expenditure Plan Covering Fiscal Years 2017-18 through 2019-20  
(Sponsor: Health and Human Services Agency)**

Recommended Action:

*Approve the 2018-19 Annual Update to the Mental Health Services Act Three-Year Program and Expenditure Plan covering fiscal years 2017-18 through 2019-20; and authorize the Behavioral Health and Recovery Services Director to sign and submit the updated plan to California's Mental Health Services Oversight and Accountability Commission.*

**Attachments:** [3 Yr Plan FY 17-20 Annual Update 18-19 to BOS](#)

**5i) Discussion and Possible Action Regarding an Update on the Implementation of the Mendocino County Cannabis Cultivation Program, Cannabis Compliance Efforts  
(Sponsor: Department of Planning and Building Services)**

Recommended Action:

*Accept the informational update on the implementation of the Mendocino County Cannabis Program, cannabis compliance efforts; and provide direction as appropriate.*

**Attachments:** [Commissioners Report as of 3-21-2019](#)  
[Zoning Data as of 3-21-2019](#)

**5j) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Urgency Ordinance Extending a Temporary Moratorium on the Cultivation of Industrial Hemp Within the Unincorporated Areas of Mendocino County Pending the Study and Consideration of Land Use and Other Regulations Pertaining to Such Cultivation  
(Sponsors: County Counsel and Agriculture)**

Recommended Action:

*Adopt Urgency Ordinance extending a temporary moratorium on the cultivation of industrial hemp within the unincorporated areas of Mendocino County pending the study and consideration of land use and other regulations pertaining to such cultivation; and authorize Chair to sign same.*

**Attachments:** [Ordinance Summary](#)  
[Ordinance](#)  
[Staff Report](#)  
[Affidavit of Publication](#)  
[04-08-19 Nowell Correspondence](#)  
[Previous Agenda Summary](#)

**5k) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Urgency Ordinance Extending a Temporary Moratorium on the Cultivation of Genetically Modified Organisms Within the Unincorporated Areas of Mendocino County Pending the Study and Consideration of Land Use and Other Regulations Pertaining to Such Cultivation  
(Sponsors: County Counsel and Agriculture)**

Recommended Action:

*Adopt Urgency Ordinance extending a temporary moratorium on the cultivation of genetically modified organisms within the unincorporated areas of Mendocino County pending the study and consideration of land use and other regulations pertaining to such cultivation; and authorize Chair to sign same.*

Attachments: [Ordinance Summary](#)  
[Ordinance](#)  
[Staff Report](#)  
[Affadavit of Publication](#)  
[Previous Agenda Summary](#)

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

Recommended Action:

*Accept the Chief Executive Officer's report.*

Attachments: [CEO Report 4-9-19 Edition](#)

**5m) 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.*

Attachments: [Leq Platform 2019 Mental Health Update](#)

**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 54957.6 - 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 54956.9(d)(4) - Conference with Legal Counsel - Initiation of Litigation: One Case.

9c) Pursuant to Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation: One Case - County of Mendocino, et al. v. Amerisourcebergen Drug Corporation, et al., Case No. 1:18-CV-02712

**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) State of California, Department of Water Resources - Water Conditions in California, Report 2, March 1, 2019. For more information, please contact Department of Water Resources, P.O. Box 942836, Sacramento, CA 94236

**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 Reappointments**

Recommended Action:

*Approve the following reappointments:*

- 1. Ms. Pauline Brumley; Trustee, Covelo Public Cemetery District;*
- 2. Mr. Jerry Buzzard, Trustee, Russian River Cemetery District;*
- 3. Mr. Jerry Chaney, At-Large Member, Area Agency on Aging-Governing Board;*
- 4. Ms. Laura Curtis, General Member, Laytonville Municipal Advisory Council;*
- 5. Ms. Roberta Hurt, Trustee, Covelo Public Cemetery District;*
- 6. Mr. Marc Komer, Alternate Public Member, Air Quality Management District-Hearing Board, and*
- 7. Ms. Jofrid Lolonis, Trustee, Russian River Cemetery District*

**MINUTES**

**4b) Approval of Minutes of March 26, 2019, Regular Meeting**

Recommended Action:

*Approve minutes of the March 26, 2019, regular meeting.*

Attachments:    [03-26-19 Minutes - DRAFT](#)



**EXECUTIVE OFFICE**

- 4c) Approval of Amendment to Agreement 18-032 with Interactive Resources, Inc., in the Amount \$78,180 for Additional Design Services and Construction Administration Services for the Completion of the Yokayo Center Exterior Repairs and Accessibility Compliance Project at 737 and 747 South State Street in Ukiah, Effective When Agreement Becomes Fully Executed through December 31, 2019**

Recommended Action:

Approve amendment to Agreement 18-032 with Interactive Resources, Inc., in the amount of \$78,180 for additional design services and construction administration services for the completion of the Yokayo Center Exterior Repairs and Accessibility Compliance Project at 737 and 747 South State Street in Ukiah, effective when Agreement becomes fully executed through December 31, 2019; and authorize Chair to sign same.

**Attachments:** [BOS 18-032 IR Yokayo Canopy Amendment](#)

- 4d) Approval of Amendment to Agreement 18-253 with Liebert Cassidy Whitmore (LCW), Effective April 9, 2019, Increasing the Total Compensation by \$60,000 (from \$50,000, for a New Agreement Total of \$110,000) and Extending the Termination Date from June 30, 2019 to December 31, 2019, for Litigation Services for McCall v County of Mendocino**

Recommended Action:

Approve amendment to Agreement 18-253 with Liebert Cassidy Whitmore (LCW), effective April 9, 2019, increasing the total compensation by \$60,000 (from \$50,000, for a new Agreement total of \$110,000) and extending the termination date from June 30, 2019 to December 31, 2019, for litigation services for McCall v County of Mendocino; and authorize Chair to sign same.

**Attachments:** [Agreement 18-253  
Amendment](#)

**DISTRICT ATTORNEY**

- 4e) Adoption of Proclamation Recognizing the Week of April 7-13, 2019, as Crime Victim's Rights Week in Mendocino County (Sponsor: District Attorney)**

Recommended Action:

Adopt Proclamation recognizing the week of April 7-13, as Crime Victims' Rights Week in Mendocino County; and authorize Chair to sign same.

**Attachments:** [PROCLAMATION Victims' Rights Week 2019](#)

**HEALTH AND HUMAN SERVICES AGENCY**

- 4f) Adoption of Resolution Approving First Amendment to Grant Agreement 17-94140 with California Department of Health Care Services in the Amount \$5,688 for a New Total of \$2,692,926 to Provide Substance Use Disorder Services Effective When Agreement Becomes Fully Executed Through June 30, 2020; and Authorization for the Health and Human Services Agency, Behavioral Health and Recovery Services Director or Designee to Sign any Renewals or Amendments that do not Exceed the Maximum Amount**

Recommended Action:

*Adopt Resolution approving first amendment to grant Agreement 17-94140 with California Department of Health Care Services in the amount \$5,688 for a new total of \$2,692,926 to provide substance use disorder services effective when Agreement becomes fully executed through June 30, 2020; authorize the Health and Human Services Agency, Behavioral Health and Recovery Services Director or designee to sign any renewals or amendments that do not exceed the maximum amount; and authorize Chair to sign same.*

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

- 4g) Adoption of Proclamation Recognizing April 2019 as Child Abuse Prevention Month in Mendocino County**

Recommended Action:

*Adopt Proclamation recognizing April 2019 as Child Abuse Prevention Month in Mendocino County; and authorize Chair to sign same.*

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

**HUMAN RESOURCES**

- 4h) Adoption of Proclamation Recognizing April 7-13, 2019, as Volunteer Appreciation Week in Mendocino County**

Recommended Action:

*Adopt Proclamation recognizing April 7-13, 2019, as Volunteer Appreciation Week in Mendocino County; and authorize Chair to sign same.*

**Attachments:** [Proclamation Volunteer Appreciation Month](#)

- 4i) Adoption of Resolution Amending the Position Allocation Table as Follows: Move from Budget Unit 2710 Agriculture to Budget Unit 2810 Cannabis Program: 1.0 FTE Administrative Assistant and 1.0 FTE Program Administrator**

Recommended Action:

*Adopt Resolution amending the Position Allocation table as follows: move from Budget Unit 2710 Agriculture to Budget Unit 2810 Cannabis Program: 1.0 FTE Administrative Assistant and 1.0 FTE Program Administrator; and authorize Chair to sign same.*

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

**PLANNING AND BUILDING SERVICES**

- 4j) Authorization of the Issuance of Administrative Coastal Development Permit No. CDP\_2018-0014 (Harrison) to Construct a Single-family Residence, Garage, Workshop, Barn, Greenhouse, Driveway, and Ancillary Development, located at 43300 Hathaway Crossing, Point Arena Area (APN 027-211-03)**

Recommended Action:

*Authorize the issuance of Coastal Development Permit, CDP\_2018-0014 (Harrison), to construct a single-family residence, garage, workshop, barn, greenhouse, driveway, and ancillary development located at 43300 Hathaway Crossing, Point Arena Area (APN 027-211-03).*

**Attachments:** [1.BOS POSTING PACKET](#)

**SHERIFF-CORONER**

- 4k) Approval of Retroactive Revenue Agreement No. 2019-27 with the U.S. Department of Justice Drug Enforcement Administration (DOJ DEA) in the Amount of \$158,000 for the Eradication and Suppression of Illicit Cannabis on Federal Lands for the Term of October 1, 2018 to September 30, 2019**

Recommended Action:

*Approve retroactive Revenue Agreement No. 2019-27 with the U.S. DOJ DEA in the amount of \$158,000 for the eradication and suppression of illicit cannabis on Federal lands for the term of October 1, 2018 to September 30, 2019; and authorize the Sheriff to sign any future amendments to the Agreement that do not increase the annual maximum amount of the Agreement; and authorize Chair to sign same.*

**Attachments:** [a 2019-27 DCESP contract SO sic.pdf](#)

**TRANSPORTATION**

- 4l) Adoption of Resolution Approving Department of Transportation Agreement Number 190007, Improvement Agreement for Brush Meadows Apartments, with 510 Brush St., L.P., a California Limited Partnership, and Authorizing and Directing the Clerk of the Board to Execute Consents to Recordation for Irrevocable Offers to Dedicate Real Property for Public Purposes (Ukiah Area)**

Recommended Action:

*Adopt Resolution approving Department of Transportation Agreement Number 190007, Improvement Agreement for Brush Meadows Apartments, with 510 Brush St., L.P., a California Limited Partnership, and authorizing and directing the Clerk of the Board to execute Consents to Recordation for Irrevocable Offers to Dedicate Real Property for Public Purposes (Ukiah Area); and authorize Chair to sign same.*

**Attachments:**    [Letter](#)  
                          [Agreement](#)  
                          [Resolution](#)

**AIR QUALITY MANAGEMENT DISTRICT**

*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.*

**4m) Approval of Memorandum of Understanding (MOU) with the Placer County Air Pollution Control District for the Air Quality Management District to Participate in the State “Funding Agricultural Reduction Measures for Emission Reductions” (FARMER) Grant Program with Year One Revenue estimated at \$305,607; Authorization to Accept Program Funds and Follow the Requirements of the Program; and Authorization for the Air Pollution Control Officer to Submit the MOU to the Placer County Air Pollution Control District**

*Recommended Action:*

*Approve the MOU with the Placer County Air Pollution Control District for the Air Quality Management District to participate in the State FARMER Grant Program; approval of the MOU with the Placer County Air Pollution Control District; authorize the Chair to sign same; authorization to accept program funds and follow the requirements of the Program; authorization for the Air Pollution Control Officer to submit the MOU to the Placer County Air Pollution Control District; and request the Clerk of the Board to provide a Minute Order to the District of the Board's decision.*

**Attachments:**    [2019-FARMER Program Guidelines-Final](#)  
[ARB-Placer Agreement](#)  
[District-Placer Agreement](#)  
[Agenda 19-04-Farmer Agreement Memo](#)

**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.***