

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

AMENDED AGENDA
May 21, 2019 - 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.

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.

**2a) Adoption of Proclamation Recognizing the Graduates of the Leadership Mendocino Class XXVI
(Sponsors: Supervisors Brown and McCowen)****Recommended Action:**

Adopt Proclamation recognizing the graduates of the Leadership Mendocino Class XXVI; and authorize Chair to sign same.

Attachments: [Proclamation](#)

**2b) Adoption of Proclamation Honoring Mr. Bill Steele for over 45 Years of Local Broadcast and Upon His Retirement
(Sponsor: Supervisor Brown)****Recommended Action:**

Adopt Proclamation honoring Mr. Bill Steele for over 45 years of local broadcast and upon his retirement; and authorize Chair to sign same.

Attachments: [Proclamation](#)

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: [05-21-19 Hickey Correspondence](#)

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 Amendment to Board of Supervisors Agreement Number 18-074 with Liebert Cassidy Whitmore in the Amount of \$150,000, for a Revised Agreement Total of \$300,000, and Extending Termination Date to June 30, 2020, to Continue to Provide Contract Negotiations and Employer-Employee Relations Services and Various Legal Representation, Effective When Agreement Becomes Fully Executed Through June 30, 2020****(Sponsor: Human Resources)****Recommended Action:**

Approve amendment to Board of Supervisors Agreement Number 18-074 with Liebert Cassidy Whitmore in the Amount of \$150,000, for a revised Agreement total of \$300,000, and extending the termination date to June 30, 2020, to continue to provide contract negotiations and employer-employee relations services and various legal representation as needed, effective when Agreement becomes fully executed through June 30, 2020; and authorize Chair to sign same.

Attachments: [Agreement](#)[Powerpoint - LCW Labor Agreement 5.21.19](#)

- 5b) Discussion and Possible Action Including Approval of the Mendocino County Lodging Business Improvement District (BID) Annual Report; Adoption of Resolution of the Mendocino County Board of Supervisors Declaring Its Intention to Levy and Collect an Annual Assessment from Businesses in the BID Within the Boundaries of the Unincorporated Portion of the County of Mendocino and the Incorporated Areas of the City of Fort Bragg, the City of Ukiah, and the City of Willits from Specified Lodging Businesses and Fixing the Date, Time, and Place of a Public Hearing to be Held by the Board to Levy the Proposed Assessment for Fiscal Year 2019-20
(Sponsor: Planning and Building Services)**

Recommended Action:

Approve the BID Annual Report; adopt Resolution of the Mendocino County Board of Supervisors declaring its intention to levy and collect an annual assessment from lodging businesses in the BID (within the boundaries of the unincorporated portion of the County of Mendocino and the incorporated area of the City of Fort Bragg, the City of Ukiah, and the City of Willits) and authorize Chair to sign same; and set a Public Hearing to be held in front of the Board at a Regular Meeting on June 18, 2019 at or about 9:00 A.M. or as soon thereafter as the matter can be heard, to levy the proposed assessment for Fiscal Year 2019-20.

Attachments: [BID Advisory Report](#)
[Resolution](#)

- 5c) Discussion and Possible Action Regarding Presentation of the Department of Planning and Building Services Development Activity Report for the Month of April, 2019
(Sponsor: Planning and Building Services)**

Recommended Action/Motion:

Recommended Action:

Accept the Development Activity Report from Planning and Building Services for the month of April, 2019.

Attachments: [1.APRIL PBS Monthly](#)
[2.Monthly activity SQL report search criteria](#)
[April Agendas](#)

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

Recommended Action:

Accept the Chief Executive Officer's report.

5e) 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.

5f) Discussion and Possible Action Including Approval of Transmission of a Letter of Commitment to Economic Development Administration to Fund the Economic Development and Financing Corporation (EDFC) at \$30,000 Annually, For the Next Three Years, for a Total of \$90,000, to Allow EDFC to Use this Funding Commitment as Match for Additional Grant Funding

(Sponsor: Executive Office)

Recommended Action:

Approve transmission of letter of commitment to Economic Development Commission to fund EDFC at \$30,000 annually, for the next three years, for a total of \$90,000, allowing EDFC to use this commitment as match for additional grant funding; and authorize Chair to sign same.

Attachments: [Letter of Commitment](#)
[EDFC Request](#)
[Resolution 16-140](#)
[EDA Invitation to Apply](#)

6. BOARD OF SUPERVISORS AND MISCELLANEOUS

- 6a) Discussion and Possible Action Regarding an Informational Report from the Board Ad Hoc Committee, Appointed in Connection to the C&S Proposal to Provide HazMat Services, Including Recommendations Related to an Amended and Restated JPA with Mendocino Solid Waste Management Authority (MSWMA); the County's Contract with MSWMA for Solid Waste Director Services; and Recommendations for On-Going Franchise Contract Monitoring and Negotiation Services
(Sponsor: MSWMA Ad Hoc Committee (Supervisors McCowen and Gjerde))**

Recommended Action:

Support MSWMA moving forward with an amended and restated JPA, and continuing negotiations for a contract with C&S for core functions of MSWMA; direct Executive Office staff to notify MSWMA that the County contract for Solid Waste Director services will be cancelled effective immediately, with a request for waiver of the 90 day notice of termination period; and provide direction to staff regarding the future provision of solid waste contract monitoring and negotiation services.

Attachments: [Joint Powers Agreement 10-19-1990](#)
[Draft JPA Restated Agreement](#)
[Solid Waste Director MOA](#)

- 6b) Supervisors' Reports Regarding Board Special Assignments, Standing and Ad Hoc Committee Meetings, and Other Items of General Interest**
- 6c) Discussion and Possible Action Regarding Letter of Support for Adoption of Conjunctive Labeling for the Mendocino County Wine Industry
(Sponsors: Supervisors McCowen and Williams)**

Recommended Action:

Approve Letter of Support for adoption of conjunctive labeling for the Mendocino County wine industry; and authorize Chair to sign same.

Attachments: [Letter of Support](#)
[Mendocino County AVA Map](#)
[Why Consider Coniunctive Labeling](#)
[Does Wine Region Coniunctive Labeling Really Work?](#)
[Coniunctive Labeling Testimonials](#)
[05-21-19 Labeling Handout](#)

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.

7a) Discussion and Possible Action Regarding Direction Given to the Air Pollution Control Officer to Work with Fire Agencies and Community Partners to Identify Barriers to Fire Fuel (Vegetation) Management and Develop a Plan to Streamline AQMD Processes that Support Vegetation Management, Including Investigation of the Feasibility of Implementing a Unified Application and Payment Model for Burn Permitting (Sponsor: Supervisor Brown)

Recommended Action:

Confirm direction given to the Air Pollution Control Officer; and provide clarification as may be necessary regarding the intended scope and leadership role of the AQMD in working with partners to streamline processes related to vegetation management through broadcast and pile burning.

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.

8a) Pursuant to Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: One Case - Mendocino County v. PG&E Corporation, et al. Case No. SCU-K-CVPG-18-70440

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 Negotiators: Property APN: 002-340-44-00; 631 S. Orchard Avenue, Ukiah, California; Agency Negotiators: Carmel J. Angelo and Janelle Rau. Others involved: Tammy Moss Chandler. Under Negotiation: Property Acquisition, Price and Terms of Payment

9c) Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation - Agricultural Commissioner/Sealer of Weights and Measures (continued)

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:

MINUTES**4a) Approval of Minutes of May 7, 2019, Regular Meeting****Recommended Action:**

Approve minutes of the May 7, 2019, regular meeting.

Attachments: [05-07-19 Minutes - DRAFT](#)

BOARD OF SUPERVISORS**4b) Adoption of Resolution Pursuant to Caltrans/California Highway Patrol's Joint Policy Guidelines for Special Events on State Conventional Highways in Order to Obtain a Permit from Caltrans for the California Indian Days Parade in Covelo on Saturday, September 28, 2019 Between 9:00 A.M. and 1:00 P.M.**

(Sponsor: Supervisor Haschak)

Recommended Action:

Adopt Resolution pursuant to Caltrans/California Highway Patrol's Joint Policy Guidelines for Special Events on State Conventional Highways in order to obtain a permit from Caltrans for the California Indian Days Parade in Covelo on Saturday, September 28, 2019 between 9:00 a.m. and 1:00 p.m., authorize Chair to sign same; and direct the Clerk of the Board to forward copies of the Resolution to the Caltrans District Permit Coordinator (Eureka), the California Highway Patrol, and the Round Valley Tribal Council.

Attachments: [Resolution](#)
[Round Valley Indian Tribe Resolution](#)

4c) Approval of Transmission of Letter of Support for Williams Ranch Road (Sponsors: Supervisors Williams and Haschak)**Recommended Action:**

Approve transmission of letter of support for Williams Ranch Road; and authorize Chair to sign same.

Attachments: [Letter](#)
[Repair Site Map](#)

- 4d) Adoption of Proclamation Honoring James C. Eddie for 24 Years of Service as the Mendocino County Representative to the Golden Gate Bridge, Highway and Transportation District
(Sponsors: Supervisors Brown and McCowen)**

Recommended Action:

Adopt Proclamation honoring James C. Eddie for 24 years of service as the Mendocino County Representative to the Golden Gate Bridge, Highway and Transportation District; and authorize Chair to sign same.

Attachments: [PROCLAMATION](#)

- 4e) Adoption of Proclamation Honoring of the Twenty Fifth Anniversary of the Community Foundation of Mendocino County
(Sponsors: Supervisors Brown and McCowen)**

Recommended Action:

Adopt Proclamation in honor of the twenty fifth anniversary of the Community Foundation of Mendocino County; and authorize Chair to sign same.

Attachments: [Proclamation](#)

- 4f) Adoption of Resolution in Support of Schools and Local Communities Funding Act
(Sponsor: Supervisor Haschak)**

Recommended Action:

Adopt Resolution in support of Schools and Local Communities Funding Act; and authorize Chair to sign same.

Attachments: [Resolution](#)

COUNTY COUNSEL

- 4g) Adoption of Resolution Determining the Value of Horses In the Possession of the County and Authorizing the Chair to Sell Same**

Recommended Action:

Adopt Resolution determining the value of horses in the possession of the County and authorizing the Chair to sell same; and authorize Chair to sign same.

Attachments: [Resolution](#)

4h) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Redwood Coast 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 Redwood Coast 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](#)
[District's Reso re Election Consolidation](#)
[Redwood Coast FPD Impact Report](#)
[signed notice ltr to all districts](#)

EXECUTIVE OFFICE

4i) Adoption of Resolution Declaring the Continuation of a Local Emergency Related To the Mendocino Complex FireRecommended Action:

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

Attachments: [Resolution](#)

4j) Adoption of Resolution Declaring the Continuation of a Local Emergency Related to the Redwood Complex FireRecommended Action:

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

Attachments: [Resolution](#)

4k) Approval of Transfer of Funds in the Amount of \$37,043 in Fund 1224 for Budget Unit 4052 Mental Health Treatment Act (Measure B) from Line Item 821500, Sales Tax & Use, to Line Item 862189 to Fund Previously Approved Professional and Special Services in Fiscal Year (FY) 2018-19Recommended Action:

Approve budget transfer in the amount of \$37,043 in fund 1224 for budget unit 4052 Mental Health Treatment Act (Measure B) from line item 821500, sales tax & use, to line item 862189 to fund previously approved professional and special services in FY 2018-19.

Attachments: [Request for Appropriation, Cancellation or Revision of Funds](#)

4l) Approval of Transfer of Funds to Disaster Recovery Budget Unit 2910 Line Item 862189 in the Amount of \$350,000 from Fund 1225 Available Fund Balance, to Fund Unforeseen Grant Funded Contractual ExpensesRecommended Action:

Approve transfer of funds to Disaster Recovery budget unit 2910 Line Item 862189, from Fund 1225 in the amount of \$350,000 from available fund balance, to fund unforeseen grant funded contractual expenses.

Attachments: [DR Appropriation 5-21-19](#)

HEALTH AND HUMAN SERVICES AGENCY

- 4m) Approval of Second Amendment to BOS Agreement No. 18-088 with Crestwood Behavioral Health, Inc. in the Amount of \$108,000, for a New Total of \$599,449, to Provide Residential Mental Health Treatment Services for Health and Human Services Agency, Behavioral Health and Recovery Services, Effective When Agreement Becomes Fully Executed through June 30, 2019**

Recommended Action:

Approve second amendment to BOS Agreement No. 18-088 with Crestwood Behavioral Health, Inc. in the amount of \$108,000, for a new total of \$599,449, to provide Residential Mental Health Treatment Services for Health and Human Services Agency, Behavioral Health and Recovery Services, effective when Agreement becomes fully executed through June 30, 2019; authorize 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: [Crestwood Behavioral Health, Inc.. Amendment 2. \\$108.000 \(\\$599](#)

- 4n) Approval of Retroactive Grant Agreement SWRCB0000000000181410600 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, 2018 Through June 30, 2019; and Adoption of Resolution Authorizing The Health and Human Services Agency Director or Designee to Sign Agreement**

Recommended Action:

Approve of retroactive grant Agreement SWRCB0000000000181410600 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, 2018 through June 30, 2019; and Adopt Resolution authorizing the Health and Human Services Agency Director or designee to sign Agreement; and authorize Chair to sign same.

Attachments: [Resolution](#)
[CA State Water Resources Control Board. \\$30.000. 18-19. EH. PF](#)

- 4o) Adoption of Resolution Reaffirming the Existence of Local Health Emergency Related to the Mendocino Complex Fire, as Proclaimed by the Local Health Officer**

Recommended Action:

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

Attachments: [Mendo Complex Local Health](#)

PLANNING AND BUILDING SERVICES

- 4p) Authorization of the Issuance of an Administrative Coastal Development Permit No. CDP_2017-0040 (Stornetta), to Replace Two (2) Existing Mobile Homes with new Mobile Homes in Approximately the Same Building Footprint; with All Existing Utilities to be Reconnected and the Same Access Used for the Parcel, Located at 23501 Windy Hollow Road, Point Arena (APN 027-051-05)**

Recommended Action:

Authorize the issuance of Coastal Development Permit No. CDP_2017-0040 (Stornetta), to replace two (2) existing mobile homes with new mobile homes in approximately the same building footprint with all existing utilities to be reconnected and the same access used for the parcel, located at 23501 Windy Hollow Road, Point Arena (APN 027-051-05).

Attachments: [CDP 2017-0040 \(Stornetta\) BOS PACKET FINAL](#)

- 4q) Authorization of the Issuance of an Administrative Coastal Development Permit No. CDP_2017-0041 (Stornetta) to Remove an Existing 1,200 square foot Modular Home and Replace with a 1,400 Square Foot Manufactured Home; Located at 436011 Harris Ranch Road, Point Arena, CA (APNs: 027-031-08, 027-051-06 and 027-161-07)**

Recommended Action:

Authorize the issuance of Coastal Development Permit No. CDP_2017-0041 (Stornetta), to remove an existing 1,200 square foot modular home and replace with a 1,400 square foot manufactured home, located at 43601 Harris Ranch Road, Point Arena CA (APNs 027-031-08, 027-051-06 and 027-161-07).

Attachments: [CDP 2017-0041 \(Stornetta\) FULL PACKET](#)

SHERIFF-CORONER

- 4r) Approval of Second Amendment to SO-S17-010/PA 18-161 with Dr. Mark A. Clementi, Ph.D., in the Amount of \$10,000, for a new Agreement Total of \$55,000, for Psychological Services to Mendocino County Sheriff's Office for Pre-Employment, Fit for Duty and Post Trauma Debriefing, effective when Agreement becomes Fully Executed through June 30, 2019**

Recommended Action:

Approve second amendment to SO-S17-010/PA 18-161 with Dr. Mark A. Clementi, Ph.D., in the amount of \$10,000, for a new Agreement total of \$55,000, for psychological services to Mendocino County Sheriff's Office for pre-employment, fit for duty and post trauma debriefing, effective when Agreement becomes fully executed through June 30, 2019; and authorize Chair to sign same.

Attachments: [Clementi Mark Amend 2 \\$10.000 FY 17-19 a.pdf](#)

SOLID WASTE

- 4s) Approval of Seventh Amendment to Board Agreement No. 11-008 with Solid Wastes of Willits to Extend Date of Caspar Transfer Station Operations Agreement & Lease from June 30, 2017 to June 30, 2021**

Recommended Action:

Approve the Seventh Amendment to BOS Agreement No. 11-008 with Solid Wastes of Willits to extend the date of the Caspar Transfer Station Operations Agreement & Lease from June 30, 2017 to June 30, 2021; authorize Chair to sign same.

Attachments: [Agreement](#)
[Fort Braqq Resolution](#)

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.

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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.