

**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**  
**July 16, 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*

1:30 P.M. Discussion and Possible Action Regarding Recommendations of the Cannabis Economic Development Ad Hoc Committee (refer to agenda item 6c)

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) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Ordinance Rezoning One (1) Legal Parcel (R\_2019-0001 - Duggan), located at 1401 Road D, Redwood Valley, (APNs: 163-082-09 and 163-090-05) Totaling 12.34± Acres Currently Zoned Rural Residential (RR:1) to Rural Residential (RR:10)  
(Sponsor: Planning and Building Services)**

**Recommended Action:**

*Adopt Ordinance rezoning one (1) legal parcel, (R\_2019-0001 - Duggan) located at 1401 Road D, Redwood Valley (APNs: 163-082-09 and 163-090-05), totaling 12.34± acres currently zoned RR:1 to RR:10; and authorize Chair to sign same.*

**Attachments:** [Memo](#)  
[Ordinance](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[PC Packet - FINAL](#)  
[Planning Commission Minutes](#)  
[Planning Commission Resolution](#)  
[Affidavit of Publication](#)

- 5b) Discussion and Possible Action Regarding SB 844 Jail Expansion Project Status Update Including Authorization to Establish a Separate Capital Project for Offsite Improvements in the Amount of \$300,000 and Update on Construction Management Services Agreement with Vanir Construction Management in an Amount of Approximately \$1,500,000  
(Sponsors: Executive Office and Sheriff-Coroner)**

**Recommended Action:**

*Receive update on SB 844 jail expansion project status; authorize the Facilities and Fleet Division Manager to establish a separate capital project offsite improvements in the amount of \$300,000 and receive update on Construction Management Services Agreement with Vanir Construction Management in an amount of approximately \$1,500,000.*

**Attachments:** [Project Update Design Development Mendocino SB 844 Final](#)  
[Offsite Improvement proposed project](#)  
[Submitted Budget Summary Table DD 20190626](#)  
[Submitted Detail Estimate - DD 20190626](#)  
[Submitted 3 Page Estimate @ DD 20190626](#)  
[Design Development Floor Plan 1-17-2019](#)

- 5c) Discussion and Possible Action Including Approval of Allocation of up to \$278,000 of Measure B Funds for the Purchase of Real Property Located at 8207 East Road, Redwood Valley for a Regional Behavioral Health Training Facility/Mendocino County Sheriff Sub-Station (Sponsor: Executive Office)**

Recommended Action:

Approve allocation of up to \$278,000 of Measure B funds for the purchase of real property located at 8207 East Road, Redwood Valley for a Regional Behavioral Health Training Facility/Mendocino County Sheriff sub-station.

- 5d) Discussion and Possible Action Including Approval of Allocation of up to \$150,000 of Asset Forfeiture Funds for the Purchase of Real Property, Located at 8207 East Road, Redwood Valley, and Approval of Transfer of Funds in the Amount of \$150,000 From Sheriff Office Budget Unit 2310 Asset Forfeiture Balance to Measure B Capital Asset Budget Unit 1713 for a Regional Behavioral Health Training Facility/Mendocino County Sheriff Sub-Station (Sponsor: Sheriff-Coroner)**

Recommended Action:

Approve allocation of up to \$150,000 of asset forfeiture funds for the purchase of real property, located at 8207 East Road, Redwood Valley; and approve transfer of funds in the amount of \$150,000 from Sheriff Office budget unit 2310 asset forfeiture balance to Measure B capital asset budget unit 1713 for a Regional Behavioral Health Training Facility/Mendocino County Sheriff Sub-Station.

**Attachments:** [Budget Transfer Form](#)

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

Recommended Action:

Accept the Chief Executive Officer's report.

**Attachments:** [CEO Report 7-16-19 Edition](#)

- 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.

**6. BOARD OF SUPERVISORS AND MISCELLANEOUS**

**6a) Discussion and Possible Action Including Adoption of a Resolution Establishing the Round Valley Area Municipal Advisory Council (Sponsor: Supervisor Haschak)**

Recommended Action:

*Adopt Resolution establishing the Round Valley Area Municipal Advisory Council; and authorize Chair to sign same.*

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

**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 Recommendations of the Cannabis Economic Development Ad Hoc Committee (Sponsor: Cannabis Economic Development Ad Hoc Committee (Supervisors Gjerde and Williams))**

Recommended Action:

*Discuss the recommendations of the Cannabis Economic Development Ad Hoc Committee; and provide direction as appropriate.*

**Attachments:**    [Ad Hoc Memo 6.16.19](#)  
                              [07-15-19 Coleman Correspondence](#)  
                              [07-15-19 Ramirez Correspondence](#)  
                              [07-15-19 Nelson Correspondence](#)  
                              [07-15-19 Powell Correspondence](#)

**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 Negotiators: Property APN: 163-140-14; 8207 East Road, Redwood Valley, California; Agency Negotiators: Carmel J. Angelo and Janelle Rau. Other Parties: Sheriff Thomas D. Allman. Under Negotiation: Property Acquisition, Price and Terms of Payment

9c) Pursuant to Government Code Section 54956.9(d)1 – Conference with Legal Counsel – Initiation of Litigation: California Public Utilities Commission Adjudicatory Proceeding - One Case - California Public Utilities Commission adjudicatory proceeding R.15-06-009 (Standards for Disaster and Emergency Preparedness Plans for Electrical Corporations and Regulated Water Companies)

9d) Pursuant to Government Code Section 54956.9(d)1 – Conference with Legal Counsel – Initiation of Litigation: California Public Utilities Commission Adjudicatory Proceeding - One Case - I.15-08-019 (Investigation to Determine Whether Pacific Gas and Electric Company and PG&E Corporation’s Organizational Culture and Governance Prioritize Safety)

9e) Pursuant to Government Code Section 54956.9(d)1 – Conference with Legal Counsel – Initiation of Litigation: California Public Utilities Commission Adjudicatory Proceeding - One Case - R.18-10-007 (Implementing Electric Utility Wildfire Mitigation Plans Pursuant to Senate Bill 901)

9f) Pursuant to Government Code Section 54956.9(d)1 – Conference with Legal Counsel – Initiation of Litigation: California Public Utilities Commission Adjudicatory Proceeding - One Case - R.18-12-005 (Proceedings to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions)

9g) Pursuant to Government Code Section 54956.9(d)1 – Conference with Legal Counsel – Initiation of Litigation: California Public Utilities Commission Adjudicatory Proceeding - One Case - A.18-12-009 (Application of Pacific Gas and Electric Company to Increase Rates and Charges for Electric and Gas Service)

9h) Pursuant to Government Code Section 54956.9(d)(4) - Conference with Legal Counsel - Initiation of Litigation: One Case - California Public Utilities Commission adjudicatory proceeding: I.19-06-015 (Order Instituting Investigation and Order to Show Cause)

**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:

**BOARD OF SUPERVISORS**

- 4a) Approval of Transmission of Letter of Support to the Federal Energy Regulation Commission Regarding Notice of Intent Filing for Potter Valley Project  
(Sponsor: Supervisor Brown)**

Recommended Action:

*Approve transmission of letter of support to the Federal Energy Regulatory Commission regarding Notice of Intent Filing for Potter Valley Project; and authorize Chair to sign same.*

**Attachments:**    [07-16-19 Potter Valley Project](#)  
                                 [Resolution No. 18-131](#)

**EXECUTIVE OFFICE**

- 4b) Approval of Agreement 5GG18110 with CAL FIRE for the West Hills Ukiah Fuels and Fire Break Project, in the Amount of \$1,652,200, Effective When Agreement Becomes Fully Executed Through March 15, 2022; and Adoption of Resolution Authorizing Execution of Agreement and Authorizing the Chief Executive Officer to Sign Any Amendments Thereto**

Recommended Action:

*Approve Agreement 5GG18110 with CAL FIRE for the West Hills Ukiah Fuels and Fire Break Project, in the amount of \$1,652,200, effective when Agreement becomes fully executed through March 15, 2022; adopt Resolution authorizing execution of Agreement, and authorizing the Chief Executive Officer to sign any amendments thereto; and authorize Chair to sign same.*

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

- 4c) Approval of Agreement with Garland/DBS, Inc. in the Amount of \$1,023,767 for the Main Jail Roof and HVAC Equipment Replacement Project - Located at 931 Low Gap Road, Ukiah, Effective When Agreement Becomes Fully Executed through January 30, 2020; 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 20142**

Recommended Action:

*Approve Agreement with Garland/DBS, Inc. in the amount of \$1,023,767 for the Main Jail Roof and HVAC Equipment Replacement Project- located at 931 Low Gap Road, Ukiah, effective when Agreement becomes fully executed through January 30, 2020; and authorize Chair to sign same; and 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.*

Attachments:    [Agreement](#)  
                          [Attachment 1](#)  
                          [Garland Payment and Performance Bonds](#)

- 4d) Adoption of Resolution Declaring the Continuation of a Local Emergency Related To the Mendocino Complex Fire**

Recommended Action:

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

Attachments:    [Mendo Complex Reso](#)

- 4e) 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:    [Redwood Complex Reso](#)

**HEALTH AND HUMAN SERVICES AGENCY**



- 4f) Approval of Retroactive Agreement with FEI.Com, Inc., in the Amount of \$63,056.72 to Provide Support and Maintenance for the MendoWITS Software System for the Period of July 1, 2019 through June 30, 2020..End**

**Recommended Action/Motion:**

Recommended Action:

Approve retroactive Agreement with FEI.Com, Inc., in the amount of \$63,056.72 to provide support and maintenance for the MendoWITS Software System for the period of July 1, 2019 through June 30, 2020; authorize the Health and Human Services Agency Director or designee to sign any future amendments that do not exceed the annual maximum amount; and authorize Chair to sign same.

**Attachments:** [FEI.Com. Inc.. \\$63.056.72](#)

- 4g) 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:** [Local Health Mendo Complex](#)

## PLANNING AND BUILDING SERVICES

- 4h) Approval of Amendment to Agreement BOS 18-134, with Don Folsom in the Amount of \$100,000, for a New Agreement Total of \$150,000, and Extending the Termination Date to June 30, 2021, for Continued Code Enforcement Field Inspection Services, Formal Code Determinations Related to Building and Construction Code Violations, as well as Professional Services Related to Code Enforcement Actions, Including, but not Limited to, Providing Expert Testimony, as May be Required for Court or Appeal Hearings, Effective When Agreement Becomes Fully Executed Through June 30, 2021**

Recommended Action:

Approve amendment to Agreement BOS 18-134, with Don Folsom in the amount of \$100,000, for a new Agreement total of \$150,000, and extending the termination date of the agreement through June 30, 2021, for code enforcement field inspection services and formal code determinations related to building and construction code violations, as well as professional services related to code enforcement actions; including, but not limited to, providing expert testimony, as may be required for court or appeal hearings, effective when Agreement becomes fully executed through June 30, 2021; and authorize Chair to sign same.

**Attachments:** [BOS - Folsom Signed Contract](#)

- 4i) Authorization of Issuance of an Administrative Coastal Development Permit No. CDP\_2018-0021 (Feehan), to Construct a Single-Family Residence, Accessory Structures, and Major Vegetation Removal to Accommodate the Proposed Development, Located at 12171 Pinewood Road, Mendocino (APN: 118-300-25)**

*Recommended Action:*

*Authorize the issuance of Coastal Development Permit No. CDP\_2018-0021 (Feehan), to construct a single-family residence, accessory structures and major vegetation removal to accommodate the proposed development, located at 12171 Pinewood Road, Mendocino (APN: 118-300-25)in ..*

**Attachments:**    [CDP 2018-0021 Legal Notice](#)  
                              [CDP 2018-0021 \(Feehan\) Posting Packet Complete](#)

**TRANSPORTATION**

- 4j) Adoption of Resolution Increasing the Director of Transportation's Change Order Authority to a Total of \$339,000 for Department of Transportation Contract Number 160090 for Construction of the Rowes Creek Bridge Replacement on Sherwood Road, County Road 311, Milepost 5.52 (Willits Area)**

*Recommended Action:*

*Adopt Resolution increasing the Director of Transportation's change order authority to a total of \$339,000 for Department of Transportation Contract Number 160090 for construction of the Rowes Creek Bridge Replacement on Sherwood Road, County Road 311, Milepost 5.52 (Willits Area); and authorize Chair to sign the same.*

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