

**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**  
**August 20, 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*

11:00 A.M. Discussion and Possible Action Including Acceptance of Presentation on the California Public Utilities Commission (CPUC)  
(refer to agenda item 5d))

1:30 P.M. Discussion and Possible Action Including Acceptance of the Mendocino County Annual Investment Report, including Report of Pooled Investments at June 30, 2019  
(refer to agenda item 5g))

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:** [08/20/19 Thibeault 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 Adoption of Resolution and Approval of Memorandum of Understanding Between the County of Mendocino and the Service Employees' International Union, Local 1021 for the Term of July 1, 2019 through June 30, 2022  
(Sponsors: Executive Office and Human Resources)**

**Recommended Action:**

*Adopt Resolution and approve Memorandum of Understanding between the County of Mendocino and the Service Employees' International Union, Local 1021 for the term of July 1, 2019 through June 30, 2022; and authorize Chair to sign same.*

**Attachments:** Resolution

SEIU MOU As of 8-19-19

Apdx IIc TC 5-1-19

Apdx IIb Benefits 5-1-19

Apdx IIa TMS 5-1-19

Apdx I Results Summary

0 Total Comp Study Final Report 05 02 19

- 5b) Discussion and Possible Action Including Adoption of Resolution and Approval of Memorandum of Understanding with the Mendocino County Public Attorneys' Association for the Term of July 1, 2019 through June 30, 2022  
(Sponsors: Executive Office and Human Resources)**

**Recommended Action:**

*Adopt Resolution and approve Memorandum of Understanding with the Mendocino County Public Attorneys' Association for the term of July 1, 2019 through June 30, 2022; and authorize Chair to sign same.*

**Attachments:** Resolution

Mendocino County Public Attorneys Unit MOU

Apdx IIc TC 5-1-19

Apdx IIb Benefits 5-1-19

Apdx IIa TMS 5-1-19

Apdx I Results Summary

0 Total Comp Study Final Report 05 02 19

- 5c) Discussion and Possible Action Including Approval of the Board of Supervisors' Responses to the 2018-19 Grand Jury Reports and Disbanding of the Grand Jury Ad Hoc Committee**  
**(Sponsors: County Counsel and Grand Jury Ad Hoc Committee (Supervisors Haschak and McCowen))**

Recommended Action:

*Approve the Board of Supervisors' responses to the 2018-19 Grand Jury Reports; authorize Chair to sign same; disband the Grand Jury ad hoc committee; and direct the Clerk of the Board to return originals to the County Counsel's Office for submission.*

- Attachments:** [2019-05-31-GJ Report-Who Runs Mendocino County](#)  
[8-20-19 REVISED - BOS Required Response Form](#)  
[08-20-19 Revised Response](#)  
[BOS Required Response Form](#)  
[BoS Response - Who Runs Mendocino County](#)  
[2019-06-19-GJ Report-Measure B-Mental Health Treatment Act..](#)  
[BoS Required Response Form](#)  
[BoS Response - Measure B - MHTA...Where Are We](#)  
[Kemper Report - Pages 41-45 \(as edited\)](#)  
[Ordinance 4387 - Section 5.180.040](#)

- 5d) Discussion and Possible Action Including Acceptance of Presentation on the California Public Utilities Commission (CPUC)**  
**(Sponsor: Supervisor Brown)**

Recommended Action:

*Accept presentation on the California Public Utilities Commission (CPUC).*

- Attachments:** [CPUC Introduction Pavdar Mendocino County Board of Supervisors](#)

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

Recommended Action:

*Accept the Chief Executive Officer's report.*

- Attachments:** [CEO Report 8-20-19 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.*

**Attachments:** [SB 45 Support Letter 5 23](#)  
[SB 45 Wildfire, Drought, and Flood Protection Bond Act Fact Shee](#)

**5g) Discussion and Possible Action Including Acceptance of the Mendocino County Annual Investment Report, including Report of Pooled Investments at June 30, 2019**

**(Sponsor: Treasurer-Tax Collector)**

Recommended Action:

*Accept the Mendocino County Annual Investment Report, including Report of Pooled Investments at June 30, 2019.*

**Attachments:** [STAFF REPORT - ANNUAL INVESTMENT 2018-19](#)  
[REPORTS - JUNE 2019 ANNUAL](#)  
[TREASURY POOL COSTS - FINAL 17-18 - 18-19](#)  
[BUDGET - TREASURY COSTS 17-18 - 18-19](#)

**5h) Discussion and Possible Action Including Adoption of Resolution Establishing the Cannabis Business Tax Appellate Body and Delegating Authority to Hear Cannabis Business Tax Appeals; and Approval of Proposed Cannabis Business Tax Appeal Procedures**

**(Sponsors: Planning and Building Services and Executive Office)**

Recommended Action:

*Adopt Resolution establishing the Cannabis Business Tax Appellate Body and delegating authority to hear Cannabis Business Tax appeals; authorize Chair to sign same; and approve the proposed Cannabis Business Tax appeal procedures.*

**Attachments:** [Memo](#)  
[Resolution](#)  
[Cannabis Appeal Fee Procedures FINAL.doc](#)  
[08-19-19 Ramirez Correspondence](#)

- 5i) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Resolution Amending Exhibit X - Master Fee Schedule Effective October 21, 2019, for Department of Planning & Building Services, Cannabis Management Unit; and for Veterans' Memorial Buildings Rental Rates (Sponsor: Executive Office)**

Recommended Action:

*Adopt Resolution amending Exhibit X - Master Fee Schedule effective October 21, 2019, for Department of Planning & Building Services, Cannabis Management Unit; and for Veterans' Memorial Buildings rental rates; and authorize Chair to sign same.*

- Attachments:**    [Attachment #1 - Resolution for Adoption](#)  
                          [Attachment #2 - CEO Memo](#)  
                          [Attachment #3 - Proposed Changes to the Master Fee Schedule](#)  
                          [Attachment #4 - Cannabis Fee Calculation Worksheets](#)  
                          [Attachment #5 - Veterans' Memorial Buildings Fee Justification Ch](#)  
                          [Attachment #6 - Exhibit X - Master Fee Schedule](#)  
                          [Affidavit of Publication](#)  
                          [08-19-19 Ramirez Correspondence](#)

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

Recommended Action:

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

- Attachments:**    [1. July 2019-PBS Rpt.pdf](#)  
                          [2. July AGENDAs.pdf](#)

**6. BOARD OF SUPERVISORS AND MISCELLANEOUS**

- 6a) Discussion and Possible Action Including Adoption of Proclamation Declaring the Second Monday in October as Indigenous Peoples' Day in Mendocino County; and Direction to Staff to Take the Steps Necessary to Designate the Second Monday in October as an Official County Holiday to be Known Henceforth as Indigenous Peoples' Day in Mendocino County; and Make Minor Corrections to Mendocino County Code for Purposes of Consistency (Sponsors: Supervisor Haschak and Supervisor McCowen)**

*Recommended Action:*

*Adopt Proclamation declaring the second Monday in October as Indigenous People's Day in Mendocino County; and authorize Chair to sign same; direct staff to take the steps necessary to designate the second Monday in October as an official County holiday to be known as Indigenous Peoples' Day in Mendocino County; and make minor corrections to Mendocino County Code for purposes of consistency.*

**Attachments:**    [Proclamation](#)  
                          [08-19-19 Norris Correspondence](#)  
                          [Proclamation Photo](#)

- 6b) 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.*

***The Mendocino County Board of Supervisors will meet concurrently as the Board of Directors of the In-Home Supportive Services Public Authority Governing Board in consideration of Closed Session item 9a).***

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 54956.9c - Conference with Legal Counsel - Initiation of Litigation: One Case

9c) Pursuant to Government Code Section 54957 - Public Employee Appointment - Public Health Officer

9d) 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

**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) United States Federal Energy Regulatory Commission - Notice of Continuation of Relicensing Proceeding. For more information, please contact Alan Mitchnick at (202) 502-6074 or via email at alan.mitchnick@ferc.gov

10b) Fish and Game Commission - Notice of Proposed Regulatory Action relating to the California Pacific Herring Fishery Management Plan. For more information, please contact Andrew Weltz at (707) 576-2896, or via email at andrew.weltz@wildlife.ca.gov.

10c) Sonoma County Water Agency - Term 7: Russian River Hydrologic Status Report (July 26 - August 1, 2019). For more information, please contact Morgan Cooney at (707) 547-1967.



**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. Ms. Miriam McNamara, Provider Representative, Child Care Planning Council;*
- 2. Mr. Macadam Lojowsky, District 1 Member, Mendocino County Climate Action Advisory Committee;*
- 3. Mr. John Nickerson, District 1 Member, Mendocino County Climate Action Advisory Committee; and*
- 4. Ms. Maureen Mulheren, City of Ukiah Alternate, Library Advisory Board.*

**Attachments:**   Loiowskv  
                          Nickerson  
                          Mcnamara  
                          Mulheren

**MINUTES****4b) Approval of Minutes of August 6, 2019, Regular Meeting****Recommended Action:**

*Approve minutes of the August 6, 2019, regular meeting.*

**Attachments:**   08-06-19 Minutes - DRAFT

**AGRICULTURE**

- 4c) Approval of a Retroactive Amendment to Purchasing Agent Agreement No. 18-273 A1 with Ragghianti Freitas LLP In the Amount of \$10,000, for a New Agreement Total of \$60,000, and Extending the Termination Date from June 30, 2019 to December 31, 2019 for Legal Services Related to the Preparation of an Environmental Impact Report for the Integrated Wildlife Damage Management Program, Effective June 30, 2019**

Recommended Action:

*Approve retroactive amendment to Purchasing Agent Agreement No. 18-273 A1 with Ragghianti Freitas LLP in the amount of \$10,000, for a new Agreement total of \$60,000, and extending the termination date from June 30, 2019 to December 31, 2019 for Legal Services related to the preparation of an Environmental Impact Report for the Integrated Wildlife Damage Management Program effective June 30, 2019; and authorize Chair to sign same.*

**Attachments:** [Ragghianti Freitas Contract # PA# 18-273 -increased to \\$60,000 s](#)

**BOARD OF SUPERVISORS**

- 4d) Approval of Transmission of Letter to PG&E Regarding Requests Related to Vegetation Management and Public Safety Power Shut Off (Sponsors: Supervisors Haschak and Williams)**

Recommended Action:

*Approve transmission of letter to PG&E regarding requests related to vegetation management and Public Safety Power Shut Off; and authorize Chair to sign same.*

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

- 4e) Approval of Transmission of Letter of Support to Legislators Regarding Cottage Microbusiness License (Sponsor: Cannabis Economic Development Ad Hoc (Supervisors Williams and Gjerde))**

Recommended Action:

*Approve transmission of Letter of Support to Legislators regarding Cottage Microbusiness License; and authorize Chair to sign same.*

**Attachments:** [Cottage Microbusiness Support Letter](#)

**DISTRICT ATTORNEY**

- 4f) Adoption of Resolution Authorizing Submittal of Grant Application to Cal OES for the Victim Witness Assistance Program for the Grant Period of October 1, 2019 Through September 30, 2020; and Authorizing the District Attorney to Sign the Grant Application as Agent on Behalf of the County**

Recommended Action:

*Adopt Resolution authorizing submittal of grant application to Cal OES for the Victim Witness Assistance Program for the Grant Period of October 1, 2019 through September 30, 2020; authorizing the District Attorney to sign the grant application as agent on behalf of the County; and authorize Chair to sign same.*

Attachments:    [Resolution](#)  
                          [VW19 RFA](#)

**EXECUTIVE OFFICE**

- 4g) Authorization for the Facilities & Fleet Division Manager to Establish a Capital Improvement Project in the Amount of \$80,000 for Emergency Water Damage Repairs at the Department of Transportation Soils Lab and Breakroom**

Recommended Action:

*Authorize the Facilities and Fleet Division Manager to establish a Capital Improvement project in the amount of \$80,000 for Emergency Water Damage Repairs at the Department of Transportation Soils Lab and Breakroom.*

- 4h) Authorization for the Facilities and Fleet Division Manager to Establish a Capital Improvement Project in the Amount of \$223,250 for the Completion of Structured Cabling System Work at the Sheriff's Office Administration Building and Donovan Building**

Recommended Action:

*Authorize the Facilities and Fleet Division Manager to establish a Capital Improvement project in the amount of \$223,250 for the completion of structured cabling system work at the Sheriff's Office Administration building and Donovan building.*

**HEALTH AND HUMAN SERVICES AGENCY**

- 4i) Adoption of Proclamation Recognizing August 2019 as Breastfeeding Month in Mendocino County**

Recommended Action:

*Adopt Proclamation recognizing August 2019 as Breastfeeding Month in Mendocino County; and authorize Chair to sign same.*

Attachments:    [Breast Feeding Proclamation August 2019](#)  
                          [Proclamation Photo](#)

- 4j) Approval of Memorandum of Understanding in the Amount of \$420,000 Between the Workforce Alliance of the North Bay Regional Workforce Development Board and the Health and Human Services Agency, California Work Opportunity and Responsibility to Kids Job Services as a Partner to American Job and Career Center of California (Mendocino) to Establish an Agreement Concerning Operations of the American Job Center of California, Effective Upon Full Execution of Agreement through June 30, 2022**

Recommended Action:

*Approve Memorandum of Understanding in the amount of \$420,000 between the Workforce Alliance of the North Bay Regional Workforce Development Board and the Health and Human Services Agency, California Work Opportunity and Responsibility to Kids Job Services as a Partner to American Job Center and Career Center of California (Mendocino) to establish an agreement concerning operations of the American Job Center of California, effective upon full execution of Agreement through June 30, 2022; authorize the Health and Human Services Agency Director or designee to sign any future amendments that do not increase the annual maximum amount; and authorize Chair to sign same.*

**Attachments:** [Work Force Alliance MOU. \\$140.000](#)

- 4k) Approval of Fifth Amendment to BOS Agreement Number 15-098 (State Revenue Agreement No. 15-10071) with the California Department of Public Health in the Amount of \$0, for an Agreement Total of \$4,296,562, to Provide Funding for the Women, Infants and Children Program of the Health and Human Services Agency, Public Health Branch, Effective When Agreement Becomes Fully Executed through September 30, 2019**

Recommended Action:

*Approve fifth amendment to BOS Agreement number 15-098 (State Revenue Agreement No. 15-10071) with the California Department of Public Health in the amount of \$0, for an Agreement total of \$\$4,296,562, to provide funding for the Women, Infants and Children Program of the Health and Human Services Agency, Public Health Branch, effective when Agreement becomes fully executed through September 30, 2019; 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:** [California Department of Public Health Wic Amendment 5, \\$0](#)

**PLANNING AND BUILDING SERVICES**

- 4l) Approval of 2018 Annual Progress Report Related to the County of Mendocino Housing Element, to Facilitate Compliance with the California Department of Housing and Community Development Annual Submittal Requirements**

Recommended Action:

*Approve 2018 Annual Progress Report, related to the County of Mendocino Housing Element, to facilitate compliance with the California Department of Housing and Community Development annual submittal requirements.*

Attachments: [2018 APR Form 8.1.19.pdf](#)

**TRANSPORTATION**

- 4m) Adoption of Resolution Approving Amendment Number 2 to BOS Agreement 16-017, Department of Transportation Agreement Number 160025, for Engineering Consulting Services with Quincy Engineering Inc., in the Amount of \$123,100, for a New Agreement Total of Not to Exceed \$749,000, for the Design of the Robinson Creek Bridge Replacement on Lambert Lane, County Road 123A, Milepost 0.10 (Boonville Area)**

Recommended Action:

*Adopt Resolution approving Amendment Number 2 to BOS Agreement 16-017, Department of Transportation Agreement No. 160025, for Engineering Consulting Services with Quincy Engineering Inc. in the amount of \$123,100, for a new Agreement total of not to exceed \$749,000, for the design of the Robinson Creek Bridge replacement on Lambert Lane, County Road 123A, Milepost 0.10 (Boonville area); and authorize Chair to sign same.*

Attachments: [Letter](#)  
[Resolution](#)  
[Amendment No. 2](#)

**TREASURER-TAX COLLECTOR**

**4n) Approval to Discharge from Accountability the Attached List of Cases Comprised of Delinquent Fines, Penalties, Fees, and Assessments Determined to be Non-Collectible Due to Age of Debt, Debtor Inability to Pay, or Lack of Information Available to Locate Debtor and Where the Cost of Recovery Exceeds That of Collection**

Recommended Action:

*Approve the discharge of accountability, for the attached list of cases comprised of delinquent fines, fees, penalties, and assessments determined to be non-collectible due to age of debt, debtor inability to pay, or lack of identifying information and where the cost of recovery exceeds that of collection.*

**Attachments:** Discharge List FY 1819 Summary by Request Type  
[Discharge List FY 1819 Total Request Summary](#)  
Discharge List FY 1819 Detail Report by Type Debtor Name

**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.***