

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
September 17, 2019 - 9:00 AM
BOARD CHAMBERS, ROOM 1070
COUNTY ADMINISTRATION CENTER

TIMED ITEMS

Please note that all times provided are considered approximate

1:30 P.M. - Discussion and Possible Action Including Acceptance of an Update on the County's Non-Cultivation Working Group

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

EXECUTIVE OFFICE

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

Recommended Action:

Accept the Chief Executive Officer's report.

Attachments: [CEO Report 9-17-19 Edition](#)

5b) Discussion and Possible Action Including Adoption of Resolution Approving Retroactive Agreement with CAL-FIRE for Fire and Emergency Dispatch Services for the term of July 1, 2018 through June 30, 2020 for an Amount Not to Exceed \$1,373,533.00

(Sponsors: Executive Office and Supervisor Williams and Supervisor McCowen - Dispatch Services for Fire and Emergency Services Ad Hoc)

Recommended Action:

Approve the agreement with CAL-FIRE for fire and emergency dispatch services for the term of July 1, 2018 through June 30, 2020 for a not to exceed amount of \$1,373,533.00; and authorize Chair to sign same.

Attachments: [CAL Fire Agreement](#)
[Cal Fire Reso](#)

**5c) 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 August 6, 2019 Update
(Sponsor: Executive Office)**

Recommended Action:

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

**5d) Discussion and Possible Action Including Review, Adoption, Amendment, Consideration or Ratification of Legislation Pursuant to the Adopted Legislative Platform
(Sponsor: Executive Office)**

Recommended Action:

Provide direction to staff on matters of legislation.

5e) Discussion and Possible Action Including Approval to Form an Ad Hoc Committee to Develop the Mendocino County 2020 Legislative Platform (Sponsor: Executive Office)

Recommended Action:

Approve formation of an Ad Hoc Committee for the Development of the Mendocino County 2020 Legislative Platform and appoint two supervisors to serve on the Ad Hoc Committee.

5f) Discussion and Possible Action Regarding the County of Mendocino's Fiscal Year 2019-20 Hiring Freeze (Sponsor: Executive Office)

Recommended Action:

Discuss the hiring freeze, the status of filled and/or unfilled positions, and the estimated General Fund savings associated with the various positions remaining vacant and provide direction as appropriate.

CHILD SUPPORT

5g) Discussion and Possible Action Including Adoption of Resolution Authorizing an Alternative Work Week Allowing the Utilization of a 9/80 Work Schedule for the Department of Child Support Services (Sponsor: Child Support Services)

Recommended Action:

Adopt resolution authorizing an alternative work week providing for the utilization of a 9/80 work schedule for the Department of Child Support Services; and authorize Chair to sign same.

Attachments: [9-80 Work Week Resolution 9.17.19](#)

HUMAN RESOURCES

5h) Discussion and Possible Action Including Adoption of Resolution Authorizing Changes to the Position Allocation Table as Follows: Health & Human Services Agency, Budget Unit 4013 - Delete One (1.0) FTE Public Health Laboratory Technician; Add One (1.0) FTE Senior Health Program Eligibility Worker; Authorize Reclassification of Affected Incumbent; and Abolish Classification of Public Health Laboratory Technician (Sponsor: Human Resources)

Recommended Action:

Adopt Resolution authorizing changes to the Position Allocation Table as follows: Health & Human Services Agency, Budget Unit 4013 - delete one (1.0) FTE Public Health Laboratory Technician; add one (1) FTE Senior Health Program Eligibility Worker; authorize reclassification of affected incumbent; abolish classification of Public Health Laboratory Technician and authorize Chair to sign same.

Attachments: [Resolution](#)

- 5i) Discussion and Possible Action Including Adoption of a Resolution and Approval of Memorandum of Understanding Between the County of Mendocino and the Mendocino County Association of Confidential Employees 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 Mendocino County Association of Confidential Employees for term of July 1, 2019 through June 30, 2022; and authorize Chair to sign same.

- Attachments:** [Agreement](#)
 [09.17.19 MCACE Resolution](#)

PLANNING AND BUILDING SERVICES

- 5j) Discussion and Possible Action Including Acceptance of an Update and Presentation on the County's Non-Cultivation Working Group
(Sponsor: Executive Office, Tax Collector, Planning & Building Services)**

Recommended Action:

Accept update regarding the County's Non-Cultivation Working Group; and provide direction as appropriate.

- Attachments:** [01. Staff Memo](#)
 [02. Non-Cultivation Report 9.17.19 - Recommendations](#)
 [03. PILOT Cottage Microbusiness License](#)

- 5k) Discussion and Possible Direction to Staff Regarding the Establishment of a Cannabis Business Tax Appeal Procedure, Including the Potential for Using a Hearing Officer to Hear Appeals
(Sponsors: Planning & Building Services, Executive Office)**

Recommended Action:

Discuss and provide direction to staff regarding the establishment of a cannabis business tax appeal procedure, including the potential for using a Hearing Officer to hear appeals.

- Attachments:** [1.Cannabis Appeal Fee Procedure Memo FINAL-CoCo red.doc](#)
 [2.Cannabis Appeal Fee Procedures FINAL- CoCo red.doc](#)
 [09.16.19 MCA Tax Appeals Memo](#)
 [BoS06.07.19.TaxAppealsMemo](#)

- 5l) Discussion and Possible Action Including Acceptance of a Presentation of the Department of Planning and Building Services Development Activity Report for the Month of August, 2019
(Sponsor: Planning and Building Services)**

Recommended Action:

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

- Attachments: [1.PBS Monthlv Rpt August 2019.pdf](#)
 [2.August Agendas.pdf](#)

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**
- 6b) Discussion and Possible Action Including Direction to the Chief Executive Officer and County Counsel to Determine Feasibility of Transitioning the Chief Probation Officer to Report to the Board of Supervisors
(Sponsor: Supervisor Williams)**

Recommended Action:

Direct Chief Executive Officer and County Counsel to determine feasibility of transitioning the Chief Probation Officer to report to the Board of Supervisors; and if feasible, draft an ordinance and other appropriate documentation for Board of Supervisors approval.

- Attachments: [attachment 1](#)
 [attachment 2](#)

- 6c) Discussion and Possible Action Including Approval of the Formation of an Ad Hoc Committee "Road Maintenance Efficiency" of Supervisors Williams and Gjerde
(Sponsor: Supervisor Williams)..End
Recommendation**

- 6d) Discussion and Possible Action Including Direction to Staff to Adopt Zero-Based Budgeting Method
(Sponsor: Supervisor Williams)**

Recommended Action:

Direct staff to use Zero-based budgeting method in future budget preparation.

- 6e) Discussion and Possible Action Including Approval of Long Distance Travel from October 28-31, 2019 for Supervisor John Haschak to Attend Meetings in Washington, D.C. with Federal Representatives to Advocate for Additional Disaster Recovery Funds for Mendocino County (Sponsor: Supervisor Haschak)**

Recommended Action:

Approve long distance travel from October 28-31, 2019 for Supervisor John Haschak to attend meetings in Washington, D.C. with federal representatives to advocate for additional disaster recovery funds for Mendocino County.

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.

- 8a) OFF AGENDA ITEM: Pursuant to Government Code Section 54954.2 - Adoption of a Proclamation Recognizing September 15 Through October 15, 2019 as Latino Heritage Month in Mendocino County (Sponsors: Executive Office, Supervisor McCowen, and Supervisor Brown)**

Recommended Action:

1) Hear Off Agenda item pursuant to Government Code 54954.2 and move that this item will be added to the agenda as item 8a); and 2) adopt proclamation recognizing September 15 through October 15, 2019 as Latino Heritage Month in Mendocino County; and authorize Chair to sign same.

Attachments: [proc](#)

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, Cherie Johnson and Donna Williamson; Employee Organization(s): All

9b) Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation: The following California Public Utilities Commission adjudicatory proceeding: I.19-06-015 (PG&E Wildfire OII)

9c) Pursuant to Government Code Section 54957 – Public Employee Appointment – Agricultural Commissioner / Sealer of Weights and Measures

10. COMMUNICATIONS RECEIVED AND FILED

Communications received and filed are retained by the Clerk throughout the Board proceedings. To review items described in this section, please contact the Executive Office staff in Room 1010.

4. CONSENT CALENDAR - CONTINUED

The Consent Calendar is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Calendar for individual consideration.

ITEMS RECOMMENDED FOR APPROVAL:

APPOINTMENTS**4a) Approval of Recommended Appointments/Reappointments****Recommended Action:**

Approve the following appointments/reappointments:

- 1. Ms. Jill Carey, Community Representative, Child Care Planning Council;*
- 2. Ms. Lesli Langset, District 4 Representative, Community Development Commission;*
- 3. Ms. Jessica Williamson, Trustee, Covelo Public Cemetery District; and*
- 4. Mr. Richard Selzer, Board Member, Assessment Appeals Board.*

Attachments: Carev
 Langset
 Williamson

BOARD OF SUPERVISORS

- 4b) Adoption of a Proclamation Recognizing September 21, 2019 as International Day of Peace in Mendocino County (Sponsor: Supervisor Haschak)**

Recommended Action:

Adopt Proclamation Recognizing September 21, 2019 as International Day of Peace in Mendocino County.

Attachments: [2019-09-04 International Peace Day Proclamation](#)

- 4c) Adoption of a Proclamation Recognizing Consolidated Tribal Health Project (CTHP) 35th Anniversary as an Indian Health Clinic Serving the Native American Communities in Mendocino County (Sponsors: Supervisor Brown and Supervisor Haschak)**

Recommended Action:

Adopt the proclamation.

Attachments: [Consolidated Tribal Health Project PROCLAMATION](#)

EXECUTIVE OFFICE

- 4d) Approval of Retroactive Agreement with West Business Development Center for Digital Learning Project in the Amount of \$100,000 Effective April 1, 2019 to March 31, 2021**

Recommended Action:

Approve retroactive agreement with West Business Development Center for Digital Learning Project in the amount of \$100,000 effective April 1, 2019 to March 31, 2021; and authorize the Chair to sign same.

Attachments: [West Company Contract](#)

- 4e) Approval of Blanket Declaration of Surplus Property and Authorization for Purchasing Agent to Dispose of Said Surplus Property Throughout Fiscal Year (FY) 2019-20**

Recommended Action:

Approve the blanket declaration of surplus property, and authorize the Purchasing Agent to dispose of said surplus property, by way of auction, for Fiscal Year 2019-20.

MENDOCINO COUNTY RETIREMENTS ASSOCIATION

- 4f) Approval of Order that No Election be Held for the September 23, 2019, Board of Retirement Election Pursuant to Government Code Section 31523; and Direction to the Retirement Administrator to Cast a Unanimous Ballot for Incumbent and Unopposed Candidates Julie Forrester, General Member, 2nd Seat; and Quincy Cromer, Safety Member, 7th Seat, for Three-Year Terms Beginning December 1, 2019**

Recommended Action:

Order that no election be held for the September 23, 2019 Board of Retirement election pursuant to Government Code Section 31523 and direct the Retirement Administrator to cast a unanimous ballot for incumbent and unopposed candidates Julie Forrester, General Member, 2nd Seat, and Quincy Cromer, Safety Member, 7th Seat, for three-year terms beginning December 1, 2019.

TRANSPORTATION

- 4g) Adoption of Resolution Approving Department of Transportation Agreement Number 190034, Professional Services Agreement with Mead & Hunt, Inc., in the Amount of \$67,800, for Engineering Design Services for the Round Valley Airport Runway Rehabilitation Project for the Term Starting Upon Execution of the Agreement Through June 30, 2021, Authorizing the Director of Transportation to Sign Any and All Amendments to the Agreement Not Exceeding \$6,780, Authorizing Submission of a Grant Application for California Department of Transportation Airport Improvement Program Matching Grant and Authorizing the Director of Transportation to Accept the Grant, if Awarded, and Execute the Grant Agreement on Behalf of Mendocino County (Covelo Area)**

Recommended Action:

Adopt resolution approving Department of Transportation Agreement Number 190034, Professional Services Agreement with Mead & Hunt, Inc., in the amount of \$67,800, for engineering design services for the Round Valley Airport Runway Pavement Rehabilitation Project for the term starting upon execution of the Agreement through June 30, 2021, and authorizing the Director of Transportation to sign any and all amendments to the Agreement not exceeding \$6,780, authorizing submission of a grant application for California Department of Transportation Airport Improvement Program Matching Grant and authorizing the Director of Transportation to accept the grant, if awarded, and execute the grant agreement on behalf of Mendocino County (Covelo Area); and authorize Chair to sign same.

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

- 4h) Adoption of Resolution Approving Department of Transportation Agreement Number 190042 in the Amount of \$52,800 with and Accepting the Grant Deed Conveying Real Property from Erickson Brothers Properties, LLC and Richard H. Neese and Beatrice M. Neese, Trustees of the Richard H. Neese and Beatrice M. Neese Revocable Trust, Under Declaration of Trust Dated November 6, 1992, for the Acquisition of Rights of Way Needed for Construction of the Ackerman Creek Bridge Replacement on North State Street, County Road 104, Milepost 0.97, Project Number A-1101 (Ukiah Area)**

Recommended Action:

Adopt Resolution approving Department of Transportation Agreement Number 190042 in the amount of \$52,800 with and accepting the Grant Deed conveying real property from Erickson Brothers Properties, LLC and Richard H. Neese and Beatrice M. Neese, Trustees of the Richard H. Neese and Beatrice M. Neese Revocable Trust, under Declaration of Trust dated November 6, 1992, for the acquisition of rights of way needed for construction of the Ackerman Creek Bridge on North State Street, County Road 104, milepost 0.97, Project Number A-1101 (Ukiah Area); and authorize Chair to sign same.

Attachments: [Letter](#)
 [Resolution](#)
 [Unsigned Agreement](#)
 [Grant Deed](#)

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.

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.

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