

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

November 19, 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 Honoring the Service of Marc Komer on the Library Advisory Board of Mendocino County
(Sponsor: Supervisor Haschak)****Recommended Action:**

Adopt Proclamation honoring the service of Marc Komer on the Library Advisory Board of Mendocino County; 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**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 Presentation of the First Quarter Budget Report on the Status of County Departmental Budgets and Executive Office Recommendations for Fiscal Year (FY) 2019-20; and Adoption of Resolution Amending the FY 2019-20 Adopted Budget (Sponsor: Executive Office)**

Recommended Action:

Accept the First Quarter Budget Report on the status of departmental spending and revenues for FY 2019-20; approve Executive Office recommendations; adopt Resolution amending the FY 2019-20 Adopted Budget; and authorize Chair to sign same.

- Attachments:** [RESOLUTION](#)
[FY 2019-20 1st Quarter Report](#)
[Attachment A](#)
[Attachment B](#)
[Attachment C](#)
[Attachment D](#)
[Attachment E](#)
[FY 2019-20 1st Quarter Presentation](#)

- 5b) Discussion and Possible Action Including Adoption of Resolution Approving an Increase of the Mendocino Solid Waste Management Authority Surcharge Fee from \$5.00 per Ton to \$6.50 per Ton and Authorizing the Chief Executive Officer or His or Her Designee, to Review and Approve Any Requests for Pass-Through Rate Adjustments That May Result from the Surcharge Fee Increase Pursuant to the Terms of the Relevant Solid Waste Franchise Agreement (County-Wide) (Sponsor: Transportation)..**

Recommended Action:

Adopt Resolution approving an increase of the Mendocino Solid Waste Management Authority Surcharge Fee from \$5.00 per ton to \$6.50 per ton and authorizing the Chief Executive Officer or his or her designee, to review and approve any requests for pass-through rate adjustments that may result from the surcharge fee increase pursuant to the terms of the relevant Solid Waste Franchise Agreement (County-Wide); and authorize Chair to sign same.

- Attachments:** [Resolution](#)
[Ukiah MSWMA JPA and Added Surcharge Staff Reports](#)
[MSWMA Budget with \\$1.5 increase 19-20 \(1\)](#)

**5c) Discussion and Possible Action Including Approval of an Amended and Restated Joint Powers Agreement for the Mendocino Solid Waste Management Authority (County-Wide)
(Sponsor: Transportation)**

Recommended Action:

Approve the amended and restated Joint Powers Agreement for the Mendocino Solid Waste Management Authority (County-Wide); and authorize Chair to sign same.

Attachments: [Amended and Restated MSWMA JPA](#)
[BOS 90-310 - MSWMA JPA](#)
[Ukiah MSWMA JPA and Added Surcharge Staff Reports](#)

**5d) Discussion and Possible Action Including Approval of Agreement with Nacht & Lewis for Predesign, Design, and Construction Support Services for Crisis Residential Treatment, Crisis Stabilization Unit, and Psychiatric Health Facility(ies) in the Amount of \$3,357,568, Effective When Agreement Becomes Fully Executed through June 30, 2022; and Authorization for the Purchasing Agent to Act as Project Manager and Approve Change Orders for the Project, Pursuant to Public Contract Code Section 20142
(Sponsor: Executive Office)**

Recommended Action:

Approve Agreement with Nacht & Lewis for Predesign, Design, and Construction Support Services for Crisis Residential Treatment, Crisis Stabilization Unit, and Psychiatric Health Facility(ies) in the amount of \$3,357,568, effective when Agreement becomes fully executed through June 30, 2022; authorize the Purchasing Agent to act as Project Manager and approve Change Orders for the project, pursuant to Public Contract Code section 20142 and sign any amendments that do not exceed the maximum Agreement amount; and authorize Chair to sign same.

Attachments: [Staff Report](#)
[Nacht Lewis Contract to Board](#)

- 5e) Discussion and Possible Action Including Adoption of Resolution to Present to the Voters of the County (1) a Proposed Ordinance Amending Chapter 5.20 of the Mendocino County Code to Provide For Collection of Transient Occupancy Tax on Short-Term Visitor Accommodation in Private Campgrounds and (2) an Advisory Ballot Measure Regarding the Expenditure of Any Funds Raised by the Amendment to Chapter 5.20, if Approved by the Voters, and Ordering Consolidation of Said Election with the Consolidated General Election Called for March 3, 2020 (Countywide); and Appointment of an Ad Hoc Committee to Prepare Arguments in Favor of the Ordinance and Rebuttal Arguments to any Oppositions**

(Sponsors: County Counsel and Treasurer-Tax Collector)

Recommended Action:

Adopt Resolution presenting to the voters of the County (1) a proposed Ordinance amending Chapter 5.20 of the Mendocino County Code to provide for collection of transient occupancy tax on short-term visitor accommodation in private campgrounds and (2) an Advisory Ballot Measure regarding the expenditure of any funds raised by the amendment to Chapter 5.20, if approved by the voters, and ordering consolidation of said election with the consolidated general election called for March 3, 2020; authorize Chair to sign same; and appoint an Ad Hoc Committee to prepare arguments in favor of the Ordinance and rebuttal arguments to any oppositions.

Attachments: [Reso - Advisory Ballot Measure Chapter 5.20 Campground Exhibit A - TOT Ordinance](#)

- 5f) Discussion and Possible Action Including Acceptance of Presentation Regarding Emergency Medical Services (EMS) in Mendocino County, Including but not Limited to Potential Local Emergency Medical Services Agency (LEMSA) Models**

(Sponsors: Health and Human Services Agency and Executive Office)

Recommended Action:

Accept presentation regarding Emergency Medical Services in Mendocino County, including potential Local Emergency Medical Services Agency models; and provide further direction to staff as appropriate.

Attachments: [EMS Presentation](#)

- 5g) Discussion and Possible Action Including Adoption of Resolution Authorizing Title Change and Salary Assignment as Follows: Health & Human Services Agency, Budget Unit 4010 - Public Health Officer to County Health Officer, Salary Grade 7911
(Sponsor: Human Resources)..End**

Recommended Action/Motion:

Recommended Action:

Adopt Resolution authorizing title change and salary assignment as follows: Health & Human Services Agency, Budget Unit 4010 - Public Health Officer to County Health Officer, Salary Grade 7911; and authorize Chair to sign same.

Attachments: [Resolution](#)
 [County Health Officer class spec](#)

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

Recommended Action:

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

Attachments: [PBS Report-October 2019.FINAL.xls](#)
 [October Agendas.pdf](#)

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

Recommended Action:

Accept the Chief Executive Officer's report.

Attachments: [CEO Report 11-19-19 Edition](#)

- 5j) 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 Direction for Health and Human Services to Author a Jobs for Homeless Initiative Plan with Supervisor Williams Targeted at Offering Employment Opportunities to Homeless Persons in Collaboration with Government Agencies and Private Industry; and Returning to Board of Supervisors for Approval
(Sponsor: Supervisor Williams)**

Recommended Action:

Direct Health and Human Services to author a Jobs for Homeless Initiative plan with Supervisor Williams targeted at offering employment opportunities to homeless persons in collaboration with government agencies and private industry; and return to the Board of Supervisors for approval.

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

- 9b) Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation – Chief Executive Officer

- 9c) Pursuant to Government Code Section 54956.9c – Conference with Legal Counsel – Initiation of Litigation: One Case

- 9d) Pursuant to Government Code Section 54956.9(d)(1) – 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.

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:**

1. Ms. Jamie Peters-Connolly, Arts Organization/Attractions Member, Mendocino County Tourism Commission.

Attachments: [peters-connolly](#)

MINUTES**4b) Approval of Minutes of November 5, 2019, Regular Meeting****Recommended Action:**

Approve minutes of the November 5, 2019, regular meeting.

Attachments: [11-5-19 Minutes - DRAFT](#)

EXECUTIVE OFFICE**4c) Adoption of Resolution Declaring the Continuation of a Local Emergency Related to the October Wind Events and Corresponding Pacific Gas and Electric Public Safety Power Shutoff Events on October 23, 2019, October 26, 2019 and October 29, 2019, in Mendocino County as Proclaimed by the Chief Executive Officer/Director of Emergency Services****Recommended Action:**

Adopt Resolution declaring the continuation of a Local Emergency related to the October wind events and corresponding Pacific Gas and Electric Public Safety Power Shutoff Events on October 23, 2019, October 26, 2019, and October 29, 2019, in Mendocino County as declared by the Chief Executive Officer/Director of Emergency Services; and authorize Chair to sign same.

Attachments: [Resolution](#)

4d) 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: [Resolution](#)

4e) 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: [Resolution](#)

4f) Approval of Appointment of Supervisor Brown as Director/Board Member Representative and Supervisor Haschak as Alternate Representative to the Following: California State Association of Counties (CSAC) Board of Directors; and National Association of Counties (NACo); and Appointment of Supervisor Brown as Director/Board Member Representative and Supervisor Williams as Alternate Representative to Rural County Representatives of California (RCRC) and Golden State Finance Authority (GSFA) for the 2019-20 Term

Recommended Action:

Approve appointment of Supervisor Brown as Director/Board Member Representative and Supervisor Haschak as Alternate Representative to the following: California State Association of Counties (CSAC) Board of Directors; and National Association of Counties (NACo); and appointment of Supervisor Brown as Director/Board Member Representative and Supervisor Williams as Alternate Representative to Rural County Representatives of California (RCRC) and Golden State Finance Authority (GSFA) for the 2019-20 term; and authorize staff to transmit said appointments to each.

COUNTY COUNSEL

4g) Adoption of Resolution Authorizing the Consolidation of Election of the Governing Board of the Leggett Valley 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 Leggett Valley 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](#)
 [Impact Report](#)
 [District's Reso 19-5-1 re election consolidation](#)
 [signed notice letter](#)

HEALTH AND HUMAN SERVICES AGENCY

- 4h) Approval of Second Amendment to Standard Agreement No. SS-18-091 with Mordhorst Services, Inc., in the Amount of \$50,000, For a New Agreement Total of \$100,000, to Assist with Activities Related to Administrative and Program Support of Health and Human Services Agency, Public Health, Effective When Agreement Becomes Fully Executed through a New End Date of June 30, 2020**

Recommended Action:

Approve second amendment to Standard Agreement No. SS-18-091 with Mordhorst Services, Inc., in the amount of \$50,000, for a new Agreement total of \$100,000, to assist with activities related to administrative and program support of Health and Human Services Agency, Public Health, effective when Agreement becomes fully executed through a new end date of June 30, 2020; authorize the Health and Human Services Agency Director or designee to sign any amendments to the Agreement that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: [Original Agreement](#)
 [Amendment 1](#)
 [Amendment 2](#)

- 4i) Approval of Retroactive Agreement with Anderson Valley Community Services District in the Amount of \$66,000 to Sustain and Support Existing Advanced Life Support Services and Existing Emergency Medical Services for the Term of July 1, 2019 through June 30, 2020**

Recommended Action:

Approve retroactive Agreement with Anderson Valley Community Services District in the amount of \$66,000 to sustain and support existing Advanced Life Support Services and existing Emergency Medical Services for the term of July 1, 2019 through June 30, 2020; 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: [Agreement](#)

- 4j) Approval of Retroactive Agreement with Mendocino County AIDS/Viral Hepatitis Network in the Amount of \$450,000 to Provide Services in Compliance with the California Department of Public Health's Syringe Exchange Certification Program throughout Mendocino County, Effective July 1, 2019 through June 30, 2022**

Recommended Action:

Approve Retroactive Agreement with Mendocino County AIDS/Viral Hepatitis Network in the amount of \$450,000 to provide services in compliance with the California Department of Public Health's Syringe Exchange Certification Program throughout Mendocino County, effective July 1, 2019 through June 30, 2022; authorize the Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: [Agreement](#)

- 4k) 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: [Resolution](#)

SHERIFF-CORONER

- 4l) Adoption of Resolution Authorizing the CEO/Director of Emergency Services, or Designee, Sheriff-Coroner/Assistant Director of Emergency Services, and/or Undersheriff to Execute for, and on Behalf of, Mendocino County, Any Actions Necessary for Administration of the Emergency Management Performance Grant**

Recommended Action:

Adopt Resolution authorizing the CEO/Director of Emergency Services, or Designee, Assistant Director of Emergency Services, and/or Undersheriff to execute for, and on behalf of Mendocino County, any actions necessary for the administration of the Emergency Management Performance Grant; and authorize Chair to sign same.

Attachments: [Resolution](#)

- 4m) Adoption of Resolution Authorizing the CEO/Director of Emergency Services, or Designee, Sheriff-Coroner/Assistant Director of Emergency Services, Undersheriff and/or Director of Health and Human Services to Execute for, and on Behalf of, Mendocino County Any Actions Necessary for Administration of the State Homeland Security Grant**

Recommended Action:

Adopt Resolution authorizing the CEO/Director of Emergency Services, or Designee, Sheriff-Coroner/Assistant Director of Emergency Services, Undersheriff and/or Director of Health and Human Services to execute for, and on behalf of, Mendocino County any actions necessary for administration of the State Homeland Security Grant; and authorize Chair to sign same.

Attachments: [Resolution](#)

TREASURER-TAX COLLECTOR

- 4n) Adoption of Ordinance Amending Chapter 5.20 of the Mendocino County Code for Collection of Transient Occupancy Tax on Short-Term Visitor Accommodation in Private Campgrounds
(Sponsors: Treasurer-Tax Collector & County Counsel)**

Recommended Action:

Adopt Ordinance amending Chapter 5.20 of the Mendocino County Code for the collection of transient occupancy tax on short-term visitor accommodations in private campgrounds; and authorize Chair to sign same.

Attachments: [Ordinance - Redline](#)
 [Ordinance - Clean](#)
 [Ordinance - Summary](#)
 [Affidavit of Publication](#)

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.