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

December 10, 2019 - 9:00 AM BOARD CHAMBERS, ROOM 1070 COUNTY ADMINISTRATION CENTER

TIMED ITEMS

Please note that all times provided are considered approximate

11:30 A.M. - Discussion and Possible Action Regarding Presentation by Senator Diane Feinstein's Field Representative, Abigail Ellis, Regarding Issues Related to Rural Counties (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.

2a) Adoption of Proclamation Recognizing Mendocino County's Participation in the National Wreaths Across America Day and Ceremony on December 14, 2019 (Sponsor: Supervisor Brown)

<u>Recommended Action</u>:

Adopt Proclamation recognizing December 14, 2019, as National Wreaths Across America Day in Mendocino County; and authorize Chair to sign same.

<u>Attachments:</u> 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) Public Meeting Related to the County's Intention to Modify the Boundaries of the Mendocino County Lodging Business Improvement District to Include the Incorporated Area of the City of Point Arena to Provide for the Levying of Assessments on Specified Hotel Businesses Conducted Within the City of Point Arena - WITHDRAWN

(Sponsors: Planning and Building Services and County Counsel)

<u>Recommended Action</u>: No Action - Item Withdrawn

5b) Discussion and Possible Action Including Adoption of Resolution and Approval of Memorandum of Understanding with the Service Employees International Union Local 2015 - In Home Health Support Services for the Term of December 10, 2019 through December 31, 2022

(Sponsors: Executive Office and Human Resources)

<u>Recommended Action</u>:

Adopt Resolution and approve Memorandum of Understanding with the Service Employees International Union Local 2015 - In Home Health Support Services for the term of December 10, 2019 through December 31, 2022; and authorize Chair to sign same.

Attachments: Resolution

FINAL TA Redlined IHSS MOU (for 19-22) 11.14.19 signature

5c) Discussion and Possible Action Including Adoption of Resolution and Approval of Memorandum of Understanding with the Mendocino County Department Head Association for the Term of September 1, 2019 through August 31, 2022 (Sponsors: Executive Office and Human Resources)

<u>Recommended Action</u>:

Adopt Resolution and approve Memorandum of Understanding with the Mendocino County Department Head Association for the term of September 1, 2019 through August 21, 2022; and authorize Chair to sign same.

Attachments: Resolution

Dept head MOU Final 11.26.19 rev 12.4.19

12.9.19 All EEs Subject to DH MOU 3 vr Projections

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

> <u>Recommended Action</u>: 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)

<u>Recommended Action</u>: Provide direction to staff on matters of legislation.

5f) Discussion and Possible Action Including Direction to Staff Regarding Recommendations for Phase 3 of Cannabis Cultivation Ordinance (Sponsors: Planning and Building Services and County Counsel)

<u>Recommended Action</u>:

Discuss the recommendations for phase 3 of Cannabis Cultivation Ordinance; and provide direction to staff as appropriate.

Attachments: Memo

Att. A - Current Table 2

Att. B - Revised Phase 3 Table 2

12-9-19 Nelson Correspondence

- 12-10-19 MCFB Correspondence
- 12-10-19 Thillman Correspondence
- 5g) Discussion and Possible Action Regarding Presentation by Senator Diane Feinstein's Field Representative, Abigail Ellis, Regarding Issues Related to Rural Counties

(Sponsor: Executive Office)

<u>Recommended Action</u>:

Accept presentation by Senator Diane Feinstein's Field Representative, Abigail Ellis, regarding issues related to Rural Counties; and provide direction to staff as appropriate.

5h) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Resolution Adopting General Plan Amendment for the 2019-2027 Housing Element and Addendum to the 2009 General Plan Environmental Impact Report (EIR) Related Thereto (Sponsor: Planning and Building Services)..End

Recommended Action:

Adopt Resolution Adopting a General Plan Amendment for the 2019-2027 Housing Element and Addendum to the 2009 General Plan EIR related thereto; and authorize Chair to sign same.

Attachments: Memo

2. Exhibit A -- GP 2019-0004 BOS Resolution - red 12.10.19
Resolution
Exh A to Reso - Addendum General Plan EIR
Exh B to Reso - Housing Element ADOPTION DRAFT
Public Comments Receieved
Proof of Publication
12-9-19 AVA Correspondence
Presentation
12-10-19 HCD Correspondence #1
12-10-19 Patterson Correspondence #2
12-10-19 Patterson Correspondence #3

12-10-191 allerson Correspondence #3

12-10-19 Patterson Correspondence #4

12-10-19 Patterson Correspondence #5

5i) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Ordinance Amending Chapter 18.04 of the Mendocino County Code and Adopting by Reference, with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 of the California Code of Regulations, 2019 Editions of the California Building Standards Code, and Adopting Local Findings (Sponsors: Planning and Building Services and County Counsel)

<u>Recommended Action:</u>

Adopt Ordinance amending Chapter 18.04 of the Mendocino County Code and adopting by reference, with local amendments, selected provisions, chapters and appendices of Title 24 of the California Code of Regulations, 2019 Editions of the California Building Standards Code and adopting local findings; and authorize Chair to sign same.

Attachments: Staff Memo

Ordinance - Redline Ordinance - Clean Ordinance - Summarv legal notice Affidavit of Publication

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 Executive Office to Perform Operational Feasibility of Proposed Measure B Funded Facilities (Sponsor: Supervisor Williams)

Recommended Action:

Direct the Executive Office to perform operational feasibility of proposed Measure B funded facilities.

Attachments: 12-10-19 Adventist Health 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, 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: One Case - Amanda Carley v. County of Mendocino, et al., Case No. SCUK-CVG-17-69021

9c) Pursuant to Government Code Section 54956.9(d)(1) - Conference with Legal Counsel -Existing Litigation: Mendocino Redwood Company, LLC v. County of Mendocino, Case No. SCUK-CVG-16-67455

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) Federal Energy Regulatory Commission - Notice of Fifth Board of Consultants Meeting for Scott Dam Site Specific Probable Maximum Precipitation/Probable Maximum Flood Study. For more information, please contact Division of Dam Safety and Inspections at (415) 369-3300.

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.

APPOINTMENTS

4a) Approval of Recommended Appointments/Reappointments

<u>Recommended Action:</u>

1. Ms. Sharon Maier, District 5 Representative, Gualala Municipal Advisory Council;

2. Ms. Eileen Bostwick, At Large Member, Area Agency on Aging Governing Board.

Attachments: Maier

Bostwick

MINUTES

4b) Approval of Minutes of November 12, 2019, Regular Meeting

<u>Recommended Action</u>: Approve minutes of the November 12, 2019, regular meeting.

Attachments: 11-12-19 Minutes - DRAFT

ASSESSOR/CLERK-RECORDER

4c) Approval of Appointment In-Lieu of Election for the August 27, 2019, Special District Election for Those Candidates Who Filed Their Declaration of Candidacy Paperwork for the Mendocino County Waterworks, District II and Westport County Water Districts, Where There Were Insufficient Candidates

<u>Recommended Action</u>:

Approve Appointments In-Lieu of Election for the August 27, 2019, Special District Election for those candidates who filed their declaration of candidacy paperwork for the Mendocino County Waterworks, District II and Westport County Water Districts, where there were insufficient candidates.

Attachments:Cert of Appt by BOS Irish Beach Landowner WaterCert of Appt by BOS-MCWD2Cert of Appt by BOS-Westport

4d) Authorization for the Assessor/Clerk-Recorder to Conduct and Consolidate a Special Election in the Laytonville Unified School District with the March 3, 2020, Presidential Primary Election

<u>Recommended Action</u>:

Authorize the Assessor/Clerk-Recorder to conduct and consolidate a special election in the Laytonville Unified School District with the March 3, 2020, Presidential Primary Election.

4e) Authorization for the Assessor/Clerk-Recorder to Consolidate and Conduct Ukiah Unified School District Bond Measure (Measure A) and Fort Bragg Unified School District Bond Measure (Measure B) with the March 3, 2020, Presidential Primary Elections

Recommended Action:

Authorize the Assessor/Clerk-Recorder to consolidate and conduct Ukiah Unified School District Bond Measure (Measure A) and Fort Bragg Unified School District Bond Measure (Measure B) with the March 3, 2020, Presidential Primary Elections.

BOARD OF SUPERVISORS

4f) Approval of Transmission of Letter of Support for the Designation of the Pacific Coastal Waters as Critical Habitat for Humpback Whales to the National Marine Fisheries Services (Sponsors: Supervisors Haschak and Gjerde)

<u>Recommended Action:</u>

Approve transmission of letter of support for the designation of the Pacific coastal waters as critical habitat for humpback whales to the National Marine Fisheries Services; and authorize Chair to sign same.

Attachments: 12-10-19 Humpback Whales

EXECUTIVE OFFICE

4g) Authorization for the Facilities and Fleet Division Manager to Establish a Capital Project for Improvements to the Regional Behavioral Health Training Facility Located at 8207 East Road, Redwood Valley with Initial Funding of \$50,000, and Authorization for the Facilities and Fleet Division Manager to Act as Project Manager to Enter Contracts and Approve Change Orders for the Project, Pursuant to Public Contract Code Section 20142

<u>Recommended Action:</u>

Authorize the Facilities and Fleet Division Manager to establish a Capital Project for Improvements to the Regional Behavioral Health Training Facility Located at 8207 East Road, Redwood Valley with initial funding of \$50,000, and authorize the Facilities and Fleet Division Manager to act as Project Manager to enter contracts and approve change orders for the project, pursuant to Public Contract Code section 20142.

4h) Approval of the Public Facilities Corporation (PFC) Annual Report

<u>Recommended Action</u>: Approve the Annual Report of the Public Facilities Corporation.

<u>Attachments:</u> Public Facilities Annual Report 2019 LTDebt Schedule Fund 1510 6.30.19

HEALTH AND HUMAN SERVICES AGENCY

4i) Adoption of Resolution Authorizing the Health and Human Services Agency, Behavioral Health and Recovery Services Director to Sign \$0 Retroactive Performance Contract No. 18-95255 with the California Department of Health Care Services on Behalf of the County, Effective July 1, 2018 through June 30, 2021

Recommended Action:

Adopt Resolution authorizing the Health and Human Services Agency, Behavioral Health and Recovery Services Director to sign *\$0 retroactive* Performance Contract No. 18-95255 with the California Department of Health Care Services on behalf of the County, effective July 1, 2018 through June 30, 2021; authorize Chair to sign same; and authorize the Health and Human Services Agency, Behavioral Health and Recovery Services Director to sign any amendments to the Agreement that do not increase the maximum dollar amount.

Attachments: Resolution

Agreement No. 18-95255

4j) Approval of Amendment to Agreement 19-202 with California Psychiatric Transitions, in the Amount of \$300,000, for a New Agreement Total of \$375,000, to Provide Residential Mental Health Treatment to Clients of the Health and Human Services Agency, Behavioral Health and Recovery Services, Effective When Agreement Becomes Fully Executed through June 30, 2020

<u>Recommended Action:</u>

Approve amendment to Agreement 19-202 with California Psychiatric Transitions, in the amount of \$300,000, for a new Agreement total of \$375,000, to provide residential mental health treatment to clients of the Health and Human Services Agency, Behavioral Health and Recovery Services, effective when Agreement becomes fully executed through June 30, 2020; 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: California Psychiatric Transitions, Amendment, \$300,000 (\$375,00

4k) Approval of Second Amendment to Standard Agreement No. PH-19-024 with Noemi Doohan, M.D., Ph.D., in the Amount of \$100,000, for a New Agreement Amount of \$125,000, for County Health Officer Services, Effective When Agreement Becomes Fully Executed Through a New End Date of June 30, 2020

<u>Recommended Action</u>:

Approve second Amendment to Standard Agreement No. PH-19-024 with Noemi Doohan, M.D., Ph.D., in the amount of \$100,000, for a new Agreement amount of \$125,000, for County Health Officer Services, 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.

<u>Attachments:</u> Doohan, Noemi, M.D., Ph.D., Amendment, \$100,000 (\$125,000), 1 Doohan, Noemi (Mimi), \$25,000, 19-20, PH, PH-19-024, FISCAL Doohan, Noemi amendment 1, \$0, 19-20, HHSA Admin, PH-19-02

41) Approval of Retroactive Revenue Agreement with Adventist Health in the Amount of \$74,017 to Serve as Emergency Medical Services Base Hospitals at Willits Hospital, DBA Adventist Health Howard Memorial, and Ukiah Adventist Hospital, DBA Adventist Health Ukiah Valley, Effective July 1, 2019, through June 30, 2022

<u>Recommended Action</u>:

Approve retroactive revenue Agreement with Adventist Health in the amount of \$74,017 to serve as emergency medical services base hospitals at Willits Hospital, DBA Adventist Health Howard Memorial, and Ukiah Adventist Hospital, DBA Adventist Health Ukiah Valley, effective July 1, 2019, through June 30, 2022; authorize the Health and Human Services Agency Director or designee to sign any future amendments that do not increase the maximum contracted amount; and authorize Chair to sign same.

<u>Attachments:</u> Agreement

4m) Approval of Retroactive Agreement with Redwood Community Services, Inc., in the Amount of \$152,000 to Provide an Inland Shelter and Day Center to Qualified Individuals in Mendocino County, Effective July 1, 2019, through June 30, 2020

Recommended Action:

Approve retroactive Agreement with Redwood Community Services, Inc., in the amount of \$152,000 to provide an inland shelter and day center to qualified individuals in Mendocino County, effective 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 increase the annual maximum amount; and authorize Chair to sign same.

Attachments: Agreement

4n) Approval of Retroactive Agreement with Mendocino Coast Hospitality Center in the Amount of \$66,516 to Provide Coast Emergency Winter Shelter Access in Fort Bragg and to the Coastal Region, Effective November 15, 2019, through March 31, 2020, or Until Funding is No Longer Available

<u>Recommended Action:</u>

Approve retroactive Agreement with Mendocino Coast Hospitality Center in the amount of \$66,516 to provide coast emergency winter shelter access in Fort Bragg and to the coastal region, effective November 15, 2019, through March 31, 2020, or until funding is no longer available; 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: Agreement

Agreement - Revised

HUMAN RESOURCES

40) Adoption of Ordinance Amending Section 3.04.062 of the Mendocino County Code, Titled "Outside Employment - County Attorneys"

<u>Recommended Action</u>:

Adopt Ordinance amending Section 3.04.062 of the Mendocino County Code, titled "Outside Employment - County Attorneys"; and authorize Chair to sign same.

<u>Attachments:</u> Ord Summarv Ord Final Clean Redline Affidavit of Publication

4p) Adoption of Resolution Changing the Title of the Classification of Risk Analyst to Senior Risk Analyst and Amending the Position Allocation Table as Follows: Budget Unit 0713 - Position No. 4030 Change Title from Risk Analyst to Senior Risk Analyst

Recommended Action:

Adopt Resolution changing the title of the classification of Risk Analyst to Senior Risk Analyst and amending the Position Allocation Table as follows: Budget Unit 0713 - Position No. 4030 change title from Risk Analyst to Senior Risk Analyst; and authorize Chair to sign same.

<u>Attachments:</u> Resolution

SHERIFF-CORONER

4q) Approval of a Retroactive Five Year Agreement with Bennet Omalu Pathology in an Amount Not to Exceed \$1,775,000 for Pathology Services for the Mendocino County Sheriff Coroner Office, Effective December 1, 2019, through December 1, 2024

<u>Recommended Action</u>:

Approve retroactive five year Agreement with Bennet Omalu Pathology in an amount not to exceed \$1,775,000 for pathology services for the Mendocino County Sheriff Coroner Office, effective December 1, 2019, through December 1, 2024; authorize the Sheriff to sign any amendments that do not increase the Agreement maximum; and authorize Chair to sign same.

Attachments: b Omalu, Bennet Dr. \$1,625,000 FY 19-24 bos.pdf

4r) Approval of Purchase of One Wanco Metro Traffic Sign with Hydraulic Lift from Road Safe Traffic Systems, to be Stationed at the City of Ukiah, in the Amount of \$16,350 from Homeland Security Grant Funds and Addition of Item to the County's List of Fixed Assets

<u>Recommended Action:</u>

Approve purchase of one Wanco Metro traffic sign with hydraulic lift from Road Safe Traffic systems, to be stationed at the City of Ukiah, in the amount of \$16,350, from Homeland Security Grant Funds; and addition of the item to the County's list of fixed assets.

Attachments: Road Safe Traffic System Quote.pdf

TRANSPORTATION

4s) Transportation Director's Report

<u>Recommended Action</u>: Accept Transportation Director's Report

Attachments: Director's Report -- December 10, 2019

4t) Adoption of Resolution Authorizing Department of Transportation to Purchase Additional Compatible Segments for the County's Bailey Bridge - A Portable, Prefabricated, Truss Bridge, by Sole Source Methods, to Obtain by Auction or Bidding, for a Total Estimated Cost of \$266,019.30, and Addition of Item to the County's List of Fixed Assets (County-Wide)..End

Recommended Action/Motion:

<u>Recommended Action</u>:

Adopt Resolution authorizing Department of Transportation to purchase additional compatible segments for the County's Bailey bridge- a portable, prefabricated, truss bridge, by sole source methods; to obtain by auction or bidding for a total estimated cost of \$266,019.30; authorize Chair to sign same; and add item to the County's list of fixed assets (County-Wide).

Attachments: Letter

Resolution

4u) Adoption of Resolution Accepting on Behalf of the Public the Grant Deed Conveying Real Property from Jesus Villalpando and Santana Villalpando, Lying Just South of Simpson Lane (County Road 414) Directly Across from its Intersection with Redwood Springs Drive (County Road 561); 30801 Simpson Lane; Assessor's Parcel Number 019-350-17 (Fort Bragg Area)..End

Recommended Action/Motion:

<u>Recommended Action:</u>

Adopt Resolution accepting on behalf of the public the Grant Deed conveying real property from Jesus Villalpando and Santana Villalpando, lying just south of Simpson Lane (County Road 414) directly across from its intersection with Redwood Springs Drive (County Road 561); 30801 Simpson Lane: Assessor's Parcel Number 019-350-17 (Fort Bragg Area); authorize Chair to sign same; and authorize and direct the Clerk of the Board to execute the Statutory Certificate of Acceptance and deliver the Grant Deed to the Recorder for processing and recording.

<u>Attachments:</u>

Resolution 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.

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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.