

**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**

**OFF SITE REGULAR MEETING**

**November 05, 2019 - 9:00 AM**

**ST. ANTHONY'S CHURCH PARISH HALL, 10700**  
**LANSING STREET, MENDOCINO, CA 95460**

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**TIMED ITEMS**

*Please note that all times provided are considered approximate*

10:00 A.M. Noticed Public Hearing - Discussion and Possible Action Including (1) Adoption of Resolution Authorizing Submittal of a Local Coastal Program Amendment to the California Coastal Commission...

(Refer to agenda item 5c))

3:30 P.M. Discussion and Possible Action Including an Update Regarding the County's Response to the October 9, 23, 26, and 29, 2019 Public Safety Power Shut Off Events...

(Refer to agenda item 5f))

Following the posting of the Agenda, all agenda item supporting documentation, including any material submitted to the Clerk after distribution of the Agenda packet, is available for public review through the Executive Office, 501 Low Gap Road, Room 1010, Ukiah, CA 95482 during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

Persons wishing to file documentation on any agenda item for the official record must submit ten (10) copies of each document to the Executive Office.

Members of the public are advised that all cell phones or electronic devices are to be silenced upon entering the Board Chambers.

### **1. OPEN SESSION (9:00 A.M.)**

#### **1a) Roll Call**

#### **1b) Pledge of Allegiance**

### **2. PROCLAMATIONS**

*Items in this section are automatically adopted unless specifically pulled by a Supervisor. Proclamations may be presented or commented on as needed.*

### **3. PUBLIC EXPRESSION**

*Members of the public are welcome to address the Board on items not listed on the agenda, but within the jurisdiction of the Board of Supervisors. The Board is prohibited by law from taking action on matters not on the agenda, but may ask questions to clarify the speaker's comment. The Board limits testimony on matters not on the agenda to 3 minutes per person and not more than 10 minutes for a particular subject at the discretion of the Chair of the Board.*

*Individuals wishing to address the Board under Public Expression are welcome to do so throughout the meeting. To best facilitate these items, please review and complete the public comment/speaker form available at the back of the Boardroom and present to the Clerk. If you wish to submit written comments, please provide 10 copies to the Executive Office staff, located in the County Administration Center, Room 1010. All meetings are tape-recorded, so speakers are reminded to announce their names as they approach the podium.*

#### **Public Expression**

### **4. CONSENT CALENDAR**

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

*See section at the end of this document for the full listing of Consent items.*

**5. COUNTY EXECUTIVE OFFICE AND DEPARTMENTAL MATTERS**

- 5a) Discussion and Possible Action Including Approval of Amendment of the Board of Supervisors 2019 Master Meeting Schedule Adding a Potential Regular Meeting on December 16, 2019, and a Board of Supervisors General Government Standing Committee Meeting on December 9, 2019, and Cancelling a General Government Standing Committee Meeting on December 16, 2019, and/or Other Dates as Directed by the Board  
(Sponsor: Executive Office)**

*Recommended Action:*

*Approve amendment to the Board of Supervisors 2019 Master Meeting Schedule adding a Regular Meeting on December 16, 2019, and a Board of Supervisors General Government Standing Committee meeting on December 9, 2019, and cancelling a General Government Standing Committee meeting on December 16, 2019, and/or other dates as directed by the Board.*

**Attachments:** [Master Meeting Calendar Draft- rev 11-5-19](#)

- 5b) Discussion and Possible Action Including Adoption of Resolution Ratifying Declaration 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  
(Sponsor: Executive Office)**

*Recommended Action:*

*Adopt Resolution ratifying Declaration of 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:** [Signed OES Emergency Proc 10.30.19](#)  
[Emergency Reso 10.30.19](#)

- 5c) Noticed Public Hearing - Discussion and Possible Action Including (1) Adoption of Resolution Authorizing Submittal of a Local Coastal Program Amendment to the California Coastal Commission, Consisting of an Amendment of the Mendocino County Coastal Zoning Code (Title 20-Division II of Mendocino County Code) (OA\_2019-0001) to Establish a Coastal Cannabis Cultivation Ordinance (Chapter 20.537) to Govern the Cultivation of Cannabis and a Coastal Cannabis Facilities Ordinance (Chapter 20.538) to Govern the Commercial Processing, Manufacturing, Testing, Dispensing, Retailing, and Distributing of Cannabis in the Unincorporated Areas of the Coastal Zone of Mendocino County and (2) Review of Proposed Corresponding Changes to Mendocino County Code Chapters 10A.17 and 6.36 to Add References to the Proposed New Chapters 20.537 and 20.538 (Sponsor: Planning and Building Services)**

Recommended Action:

*Adopt Resolution authorizing submittal of a Local Coastal Program amendment to the California Coastal Commission, consisting of an amendment of the Mendocino County Coastal Zoning Code (Title 20-Division II of Mendocino County Code) (OA\_2019-0001) to establish a Coastal Cannabis Cultivation Ordinance to govern the cultivation of cannabis and a Coastal Cannabis Facilities Ordinance to govern the commercial processing, manufacturing, testing, dispensing, retailing, and distributing of cannabis in the unincorporated areas of the Coastal Zone of Mendocino County; and authorize Chair to sign same.*

- Attachments:** [Staff Memo](#)  
[PC Packet](#)  
[Resolution No. PC 2019-0021](#)  
[Attachment C - Chapter 20.537 - Coastal Cultivation \(Redline\)](#)  
[Attachment D - Chapter 20.538 - Coastal Facilities \(Redline\)](#)  
[Attachment E - Chapter 10A.17 - Cannabis Cultivation - CZ Amend](#)  
[Attachment F - Chapter 6.36 - Cannabis Facilities - CZ Amendmer](#)  
[Attachment G - Resolution \(with Exhibit A\)](#)  
[Attachment H - OA 2019-0001 \(CCC Pre-Submittal Letter\)](#)  
[Coastal BOS Hearing Presentation](#)  
[BOS Legal Notice \(Newspaper Only\)](#)  
[Proof of Pub \(ICO\)](#)  
[Proof of Pub \(FBA\)](#)  
[Proof of Pub \(UDJ\)](#)

- 5d) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Resolution Authorizing Submittal of a Local Coastal Program Amendment to the California Coastal Commission, Consisting of an Amendment of the Coastal Element of the Mendocino County General Plan (GP\_2018-0003) and an Amendment of the Mendocino County Coastal Zoning Code (Title 20-Division II of Mendocino County Code) (OA\_2018-0009) to Establish Regulations for Accessory Dwelling Units in the Coastal Zone of Mendocino County (Sponsor: Planning and Building Services)**

Recommended Action:

*Adopt Resolution authorizing submittal of a Local Coastal Program amendment to the California Coastal Commission, consisting of an amendment of the Coastal Element of the Mendocino County General Plan (GP\_2018-0003) and an amendment of the Mendocino County Coastal Zoning Code (Title 20-Division II of Mendocino County Code) (OA\_2018-0009) to establish regulations for accessory dwelling units in the coastal zone of Mendocino County; and authorize Chair to sign same.*

- Attachments:** [BOS Memo-redline](#)  
[PC Packet](#)  
[PC Resolution](#)  
[ATTACHMENT C](#)  
[ATTACHMENT D - Redline](#)  
[BOS Resolution](#)  
[Presentation](#)  
[OA 2018-0009.GP 2018-0003 Legal Notice \(BOS 11-5-19\)](#)  
[Proof of Pub OA 2018-0009 & GP 2018-0003 \(BOS\) \(UDJ\)](#)  
[Proof of Pub OA 2018-0009 & GP 2018-0003 \(BOS\) \(FBA\)](#)  
[Proof of Pub OA 2018-0009 & GP 2018-0003 \(BOS\) \(ICO\)](#)  
[Correspondence - Wvnn](#)  
[Correspondence - WMAC](#)

- 5e) Discussion and Possible Action Including Direction to Staff Regarding Board of Supervisors General Government Standing Committee Referral of Adoption of Any New Taxes in Time for the March 2020 Election (Sponsors: County Counsel and General Government Committee)**

Recommended Action:

*Direct staff as to which taxes the Board desires to adopt in time to be placed on the March 2020 ballot.*

- 5f) Discussion and Possible Action Including an Update Regarding the County's Response to the October 9, 23, 26, and 29, 2019 Public Safety Power Shut Off Events and Approval of Transmission of Letter to Pacific Gas and Electric (Sponsor: Executive Office)**

Recommended Action:

Accept update regarding the County's response to the October 9, 23, 26, and 29, 2019 public safety shut off events; approve transmission of letter to Pacific Gas and Electric; and authorize Chair to sign same.

**Attachments:** [PGE Letter 11.5.19](#)

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

Recommended Action:

Accept the Chief Executive Officer's report.

- 5h) 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 Adoption of an Urgency Ordinance Prohibiting Price Gouging Following the October 2019, Public Safety Power Shutoff Events (Sponsors: County Counsel and Supervisors McCowen and Williams)**

Recommended Action:

Adopt Urgency Ordinance prohibiting price gouging following the October 2019, Public Safety Power Shutoff Events; and authorize Chair to sign same.

**Attachments:** [Ordinance - Price Gouging 11.5.2019](#)

**6b) Discussion and Possible Action Regarding Recommendations of the Cannabis Economic Development Ad Hoc Committee  
(Sponsor: Cannabis Economic Development Ad Hoc Committee (Supervisors Gjerde and Williams))**

Recommended Action:

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

Attachments:    [County Cannabis strategic plans 2019](#)  
                          [Cannabis Cultivation Opptys TABLE 10.25.19](#)  
                          [Cannabis Optimize ManufacturingTABLE 10.25.19](#)  
                          [Cannabis PromoteTourismTABLE 10.25.19](#)  
                          [Cannabis ADVOCACY TABLE 10.25.19](#)

**6c) Supervisors' Reports Regarding Board Special Assignments, Standing and Ad Hoc Committee Meetings, and Other Items of General Interest**

**6d) Discussion and Possible Action Including Direction to Staff to Establish Data Reporting and Charting Website  
(Sponsor: IT Ad Hoc Committee: Supervisors Williams and Gjerde)**

Recommended Action:

*Direct staff to continue collaboration with IT Ad Hoc Committee to establish a data reporting and charting website with automated publication of key data, taking requests from department heads, Supervisors and the Executive Office.*

**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, Donna Williamson, and Lisa Charbonneau; Employee Organization(s): All
- 9b) Pursuant to Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: County of Mendocino, et al. v. Amerisourcebergen Drug Corporation, et al., Case No. 1:18-CV-02712
- 9c) Pursuant to Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: PG&E Corporation (Bankruptcy Case) Case No. 19-30088 (DM)
- 9d) Pursuant to Government Code Section 54956.9d(2) - Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation - One Case

**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. Mr. George Provenscher, Member, Gualala Municipal Advisory Council; and
2. Ms. Jill Warner Carey, Public Agency Representative, Child Care Planning Council.

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



**HEALTH AND HUMAN SERVICES AGENCY**

- 4b) Approval of 2019-20 Annual Update to the Mental Health Services Act Three Year Program and Expenditure Plan, and Authorization for the Health and Human Services Agency Behavioral Health and Recovery Services Director to Sign and Submit the Plan to the Department of Health Care Services**

Recommended Action:

*Approve 2019-20 annual update to the Mental Health Services Act three year program and expenditure plan; and authorize the Health and Human Services Agency Behavioral Health and Recovery Services Director to sign and submit the plan to the Department of Health Care Services.*

Attachments: [MHSA 3 Year Plan. Annual Update 19-20](#)

- 4c) Approval of Retroactive Agreement with North Coast Opportunities, Inc. in the Amount of \$100,000 to Complete and Support the 2020 Community Healthy Improvement Plan, Effective November 1, 2019 through June 30, 2020**

Recommended Action:

*Approve retroactive Agreement with North Coast Opportunities, Inc. in the amount of \$100,000 to complete and support the 2020 Community Healthy Improvement Plan, effective November 1, 2019 through 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 annual maximum amount; and authorize Chair to sign same.*

Attachments: [Areement](#)

- 4d) Ratification of Submission of Grant Application to the California Department of Public Health for up to \$255,000 Through the California Opioid Safety Coalitions (Overdose Data to Action Initiative) Program to Support the SafeRx Mendocino Opioid Safety Coalition for the Anticipated Period of January 1, 2020 through August 31, 2022; and Authorization for the Health and Human Services Agency Director or Designee to Sign Agreement, if Awarded, and any Renewals or Amendments that do not Exceed the Maximum Amount**

Recommended Action:

*Ratify submission of grant application to the California Department of Public Health for up to \$255,000 through the California Opioid Safety Coalitions (Overdose Data to Action Initiative) Program to support the SafeRx Mendocino Opioid Safety Coalition for the anticipated period of January 1, 2020 through August 31, 2022; authorize the Health and Human Services Agency Director or designee to sign Agreement, if awarded, and any renewals or amendments that do not exceed the maximum amount.*

- Attachments:**    [2019 RFA California Opioid Safety Coalition\(1\)](#)  
[Appendices 1-5](#)  
[Attachments A-I](#)  
[Attachments K and L](#)  
[FINAL Grant Application Submission](#)

**SHERIFF-CORONER**

- 4e) Approval of Increase of Appropriations for Supplemental Law Enforcement Fund Number 1210, Budget Unit 2313 in the Amount of \$420,319, and Authorization for Associated Expenditures for Salary Related Expenses, Information Technology Infrastructure Equipment for the Redwood Valley Field Patrol Office, and the Replacement of the Sheriff Office's Aged Firearms**

*Recommended Action:*

*Approve appropriations increase for the Supplemental Law Enforcement Fund number 1210, budget unit 2313 in the amount of \$420,319; and authorize the associated expenditures for salary related expenses, IT infrastructure equipment for the Redwood Valley Field Patrol Office, and the replacement of the Sheriff's Office's aged firearms.*

**Attachments:**    [b cops funds transfer forms](#)

**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.***