

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Vice-Chair

TOM WOODHOUSE
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor
Chair

DAN HAMBURG
5th District
Supervisor



CARMEL J. ANGELO
Chief Executive Officer/
Clerk of the Board

KATHARINE L. ELLIOTT
County Counsel

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CENTER**
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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – August 16, 2016

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO - STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)**

AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:06 A.M.)

Present: Supervisor Carre Brown, Supervisor John McCowen, Supervisor Tom Woodhouse, Chair Dan Gjerde, and Supervisor Dan Hamburg.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Katharine L. Elliott, County Counsel and Ms. Ms. Karla Van Hagen, Deputy Clerk of the Board.

Pledge of Allegiance: Mr. Thomas Allman, Sheriff.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Michael Makdisi, Deputy County Counsel; Mr. Thomas Allman, Sheriff; and Ms. Janet Barnes.

8A) OFF AGENDA ITEM - PURSUANT TO GOVERNMENT CODE SECTION 54954.2; AND DISCUSSION AND POSSIBLE ADOPTION OF URGENCY RESOLUTION DECLARING AN EMERGENCY PURSUANT TO MENDOCINO COUNTY CODE (MCC) SEC. 2.32.040 AND PUBLIC CONTRACT CODE SECTION 22050 DUE TO DAMAGE TO A COUNTY OWNED FACILITY LOCATED AT 737 S. STATE ST., UKIAH CAUSED BY FLOODING, AND CONSIDERATION OF A SPECIAL MEETING TO REAFFIRM THE EMERGENCY DECLARATION ON AUGUST 30, 2016 - SPONSOR: EXECUTIVE OFFICE

Presenters: Mr. Alan D. Flora, Assistant Chief Executive Officer; Ms. Heather Correll, Risk Analyst, Executive Office; and Ms. Carmel J. Angelo, Chief Executive Officer.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that this matter arose subsequent to the agenda being published pursuant to Government Code Section 54954.2 and further, that this item shall be added to the Regular agenda for consideration. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors affirms the declaration of emergency pursuant to MCC Sec. 2.32.040 and Public Contract Code Section 22050 due to damage to a County owned facility located at 737 S. State St., Ukiah caused by flooding. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

Enactment No: Resolution 16-102

Board Action: GENERAL CONSENSUS OF THE BOARD that a Special Meeting be held on August 30, 2016, to reaffirm Urgency Item.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Gjerde

Public Comment: None

Board Action: Consent calendar item 4(q) is removed for separate consideration.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown and carried unanimously, IT IS ORDERED that consent items 4(a) – (p) and 4(r)- 4(w) are approved as follows:

4A) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

1. D. Mills Matheson, Air Quality Management District - Hearing Board, Physician.

Approved;

4B) AUTHORIZATION FOR THE COUNTY CLERK TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION FOR THE CITY OF POINT ARENA (MEASURE AE - A MARIJUANA AND CANNABIS BUSINESS TAX MEASURE) WITH THE PRESIDENTIAL GENERAL ELECTION SCHEDULED FOR TUESDAY, NOVEMBER 8, 2016 – SPONSOR: ASSESSOR/CLERK-RECORDER

Approved;

4C) ADOPTION OF RESOLUTION PURSUANT TO CALTRANS/CALIFORNIA HIGHWAY PATROL'S JOINT POLICY GUIDELINES FOR SPECIAL EVENTS ON STATE CONVENTIONAL HIGHWAYS IN ORDER TO OBTAIN A PERMIT FROM CALTRANS FOR THE ELK VOLUNTEER FIRE DEPARTMENT'S "GREAT DAY IN ELK" PARADE, TO BE HELD IN ELK, CALIFORNIA, ON SATURDAY, AUGUST 27, 2016 - SPONSOR: SUPERVISOR HAMBURG

Adopted and Chair is authorized to sign;

Enactment No: Resolution 16-103

4D) ADOPTION OF PROCLAMATION RECOGNIZING JOEL E. CROCKETT FOR HIS CONTRIBUTIONS TO THE GUALALA COMMUNITY (SPONSOR: SUPERVISOR HAMBURG) ADOPTED 4E) APPROVAL FOR SUPERVISOR HAMBURG TO REQUEST TO JOIN "NEXT CENTURY CITIES," ON BEHALF OF MENDOCINO COUNTY (AT NO COST TO THE COUNTY) - SPONSOR: SUPERVISOR HAMBURG

Adopted and Chair is authorized to sign;

4F) APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE JUDICIAL COUNCIL OF CALIFORNIA ADMINISTRATIVE OFFICE OF THE COURTS AND THE COUNTY OF MENDOCINO FOR COURT FACILITY SERVICES RELATING TO THE FORT BRAGG JUSTICE CENTER – SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign;

Enactment No: Agreement 16-069

4G) RATIFICATION OF A LETTER OF OPPOSITION FOR SENATE BILL 897 (ROTH) - WORKERS COMPENSATION – SPONSOR: EXECUTIVE OFFICE

Approved;

4H) RATIFICATION OF LETTER OF OPPOSITION FOR ASSEMBLY BILL 1853 (COOPER) - COUNTY EMPLOYEES RETIREMENT – SPONSOR: EXECUTIVE OFFICE

Approved;

4I) ADOPTION OF PROCLAMATION RECOGNIZING AUGUST 2016 AS NATIONAL BREASTFEEDING MONTH IN MENDOCINO COUNTY - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign;

4J) ADOPTION OF PROCLAMATION RECOGNIZING SEPTEMBER 5-11, 2016, AS SUICIDE PREVENTION WEEK IN MENDOCINO COUNTY - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign;

4K) APPROVAL OF AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC. (RCS) IN THE AMOUNT OF \$1,102,813, TO PROVIDE EMERGENCY SHELTER SERVICES FOR CHILDREN PLACED BY HEALTH AND HUMAN SERVICES AGENCY (HHSA) FAMILY AND CHILDREN'S SERVICES (FCS) IN FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign;

Enactment No: Agreement 16-070

4L) ADOPTION OF RESOLUTION AUTHORIZING HEALTH AND HUMAN SERVICES AGENCY (HHSA) PUBLIC HEALTH TO ACCEPT A DEPARTMENT OF AGRICULTURE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EDUCATION (SNAP-Ed) GRANT; AND APPROVAL OF AGREEMENT WITH CALIFORNIA DEPARTMENT OF PUBLIC HEALTH IN THE AMOUNT OF \$960,000 FOR NUTRITION

EDUCATION AND OBESITY PREVENTION FOR FISCAL YEARS 2017-19 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign;

Enactment No: Agreement 16-071, Resolution 16-104

- 4M) APPROVAL OF FIRST MODIFICATION OF AGREEMENT NO. 15-074 WITH CALIFORNIA DEPARTMENT OF SOCIAL SERVICES - ADOPTIONS SERVICES BUREAU IN THE AMOUNT OF \$641,682, TO PROVIDE ADOPTION SERVICES FOR HEALTH AND HUMAN SERVICES AGENCY, FAMILY AND CHILDREN'S SERVICES FOR FISCAL YEARS 2015-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved;

Enactment No: Agreement 15-074-A1

- 4N) APPROVAL OF AMENDMENT NO. 15-10071 A01 TO REVENUE AGREEMENT NO. 15-10071 WITH THE STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH, WOMEN, INFANTS AND CHILDREN (WIC) PROGRAM DIVISION IN THE AMOUNT OF \$50,856 FOR A TOTAL OF \$3,863,638 TO PROVIDE NUTRITION EDUCATION FOR WIC FOR FEDERAL FISCAL YEARS 2015-19; AND ADOPTION OF RESOLUTION AUTHORIZING THE HEALTH AND HUMAN SERVICES AGENCY (HHSA) DIRECTOR TO SIGN AMENDMENT NO. 15-10071 A01 ON BEHALF OF MENDOCINO COUNTY - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Adopted and Chair is authorized to sign;

Enactment No: Resolution 16-105, Agreement 15-098-A1

- 4O) APPROVAL OF RECOMMENDATIONS MADE BY THE POLICY COUNCIL ON CHILDREN AND YOUTH/ CHILD ABUSE PREVENTION COMMISSION (PCCY/CAPC) FOR THE USE OF FUNDS FROM THE CHILDREN'S TRUST FUND FOR FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved;

- 4P) APPROVAL OF AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC. IN THE AMOUNT OF \$150,000, TO PROVIDE HOUSING AND SERVICES TO ASSIST EMANCIPATED FOSTER/PROBATION YOUTH FOR HEALTH & HUMAN SERVICES AGENCY (HHSA) FAMILY AND CHILDREN'S SERVICES (FCS) IN FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair is authorized to sign;

Enactment No: Agreement 16-072

- 4R) RATIFICATION OF SUBMISSION OF APPLICATION FOR FUNDS AVAILABLE FROM CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, WOMEN, INFANTS AND CHILDREN PROGRAM (CDPH/WIC) FOR UP TO \$150,000 FOR FEDERAL FISCAL YEARS (FFY) 2016-17, 2017-18 AND 2018-19; AND AUTHORIZATION FOR THE HEALTH AND HUMAN SERVICES AGENCY DIRECTOR TO SIGN AGREEMENT ON BEHALF OF THE BOARD IF FUNDING IS GRANTED - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved;

- 4S) ACCEPTANCE OF INFORMATIONAL REPORT FROM THE ALLIANCE FOR RURAL COMMUNITY HEALTH (ARCH) EXECUTIVE DIRECTOR RELATED TO COUNTY-WIDE COMMUNITY CLINIC ACTIVITIES FOR NATIONAL COMMUNITY HEALTH CENTER WEEK - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved;

4T) ADOPTION OF RESOLUTION ADOPTING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: SHERIFF'S OFFICE -MOVE ONE (1) FTE ACCOUNT SPECIALIST III FROM BUDGET UNIT 2310 TO 2510; HHSA - MOVE ONE (1) FTE STAFF SERVICES MANAGER II FROM BUDGET UNIT 5010 TO 4050; HHSA - MOVE ONE (1) FTE ADMINISTRATIVE SERVICES MANAGER II FROM BUDGET UNIT 4050 TO 4010 - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign;

Enactment No: Resolution 16-106;

4U) 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 – SPONSOR: TREASURER-TAX COLLECTOR

Approved;

4V) APPROVAL OF OUTDOOR FESTIVAL APPLICATION AND AUTHORIZATION FOR TAX COLLECTOR TO ISSUE LICENSE FOR THE WINESONG FESTIVAL, TO BE HELD SEPTEMBER 10, 2016 IN FORT BRAGG, CA - SPONSOR: TREASURER-TAX COLLECTOR

Approved;

4W) ADOPTION OF RESOLUTION AUTHORIZING THE MENDOCINO COUNTY WATER AGENCY GENERAL MANAGER TO RECEIVE, SIGN AND EXECUTE A PROPOSITION 1 STORM WATER GRANT IN THE AMOUNT OF \$242,990 FROM THE CALIFORNIA DEPARTMENT OF WATER RESOURCES CONTROL BOARD AND AUTHORIZE THE WATER AGENCY GENERAL MANAGER TO SIGN ANY AMENDMENTS THERETO THAT DO NOT INCREASE THE MAXIMUM TOTAL AMOUNT OF THE AGREEMENT; AND BE DESIGNATED TO REPRESENT THE AGENCY IN CARRYING OUT THE AGENCY'S RESPONSIBILITIES UNDER THE FINANCIAL ASSISTANCE AGREEMENT – SPONSOR: WATER AGENCY

Adopted and Chair is authorized to sign;

Enactment No: Resolution 16-107

AGENDA ITEM NO. 4 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:

4Q) APPROVAL OF AGREEMENT WITH CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT IN THE AMOUNT OF \$1,255,012, TO PROVIDE EVIDENCE BASED TRAINING FOR FOSTER CARE PROVIDERS, GROUP HOME STAFF AND COUNTY STAFF SERVING MENDOCINO COUNTY'S TITLE IV-E FEDERALLY ELIGIBLE CHILDREN IN FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Tammy Moss Chandler; Director, Health and Human Services Agency; and Ms. Camille Schraeder.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Woodhouse, IT IS ORDERED that the Board of Supervisors approves Agreement with Chabot-Las Positas Community College District in the amount of \$1,255,012, to provide evidence based training for foster care providers, group home staff and County staff serving Mendocino County's Title IV-E federally eligible children; authorizes the HHSA Director to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

Enactment No: Agreement 16-073

5I) DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION EXTENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE IN-HOME SUPPORTIVE SERVICES (IHSS) PUBLIC AUTHORITY GOVERNING BOARD AND THE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 2015 (SEIU) FOR THE TERM OF NOVEMBER 1, 2011 THROUGH MARCH 31, 2017 - SPONSOR: HUMAN RESOURCES

Presenter/s: Ms. Heidi Dunham, Director, Human Resources.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors adopts Resolution extending the Memorandum of Understanding between the In-Home Supportive Services (IHSS) Public Authority Governing Board and the Service Employees International Union Local 2015 for the term of November 1, 2011 through March 31, 2017; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

Enactment No: Resolution 16-108, Agreement No. 16-074

5D) DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING SCHEDULING JOINT MEETINGS BETWEEN THE BOARD OF SUPERVISORS AND ADVISORY BOARDS, COMMITTEES AND COMMISSIONS – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg IT IS ORDERED that the Board of Supervisors approves schedule as submitted:

- October 2016: Mendocino County Fish and Game Commission
- December 2016: Behavioral Health Advisor Board
- January 2017: Mendocino County Board of Retirement
- March 2017: Museum Advisory Board
- May 2017: Health Services Advisory Board
- July 2017: Library Advisory Board

with the follow addendum: *[However, if there is no compelling reason to meet with the Retirement Board in January 2017, then a meeting with Health and Human Services Agency Advisory Board would be scheduled instead. Otherwise, the Board of Supervisors would meet with the Health and Human Services Agency Advisory Board in March 2017; and a joint meeting with the Museum Advisory Board meeting would be held in May, 2017. Direction to also include a correction to the status of the AAA Advisory Board to active; and the Indian Gaming Local Benefit Committee deleted from appointment listing.]* The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

5F) DISCUSSION AND POSSIBLE ACCEPTANCE OF THE 2015 MENDOCINO COUNTY CROP REPORT PRESENTATION - SPONSOR: AGRICULTURE

Presenter/s: Mr. Chuck Morse, Agricultural Commissioner.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors accepts the 2015 Mendocino County Crop Report. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

5H) DISCUSSION AND POSSIBLE APPROVAL OF PROPOSED POLICY STATEMENT ON MARIJUANA AND YOUTH FOR LOCAL IMPLEMENTATION, AS SUBMITTED BY THE MENDOCINO COUNTY POLICY COUNCIL ON CHILDREN AND YOUTH; AND POSSIBLE SUBMISSION OF THE STATEMENT AS AN ADDENDUM TO THE COUNTY'S 2016 LEGISLATIVE PLATFORM - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Tammy Moss Chandler, Director, Health and Human Services Agency; and Ms. Megan Van Sant, Program Administrator, Health and Human Services Agency.

Public Comment: Ms. Christine Holley; Ms. Jasmine Germain; Ms. Andrea Garcia; Ms. Menake Olson; Ms. Townley Saye; Ms. Jacqueline Williams; Mr. Mike Sweeney; Ms. Laura Welter; Ms. Tarney Sheldon; Ms. Sharon Hildebrand; Mr. Norman de Vall; and Ms. Camille Schraeder.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors approves proposed Policy Statement on Marijuana and Youth for local implementation, as submitted by the Mendocino County Policy Council on Children and Youth; and submit the statement as an addendum to the County's 2016 Legislative Platform - as amended. *[Amendments include: First paragraph: replace "Committee" with "Policy Council on Children and Youth/Child Abuse Prevention Commission" and add "we recommend." Third bullet point - strike "s" on homes (licensed child care center or home). Revise last bullet point to state, "A portion of the local tax revenue generated a minimum of 20% of state tax generated from."]* The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

5C) DISCUSSION AND POSSIBLE ACCEPTANCE OF REPORT REGARDING THE MENDOCINO COUNTY ANIMAL SHELTER – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Alan D. Flora, Assistant Chief Executive Officer; and Ms. Mary Jane Montana, Interim Shelter Manager, Animal Care Services.

Public Comment: Ms. Mariah Montanos; Ms. Laura Welch; Ms. Shanna Phillips; Ms. Monika Fuchs; and Ms. Rebecca Edwards.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors accepts the report from Animal Care Services on the Mendocino County Animal Shelter. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS : 12:17 P.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 CONFERENCE WITH LABOR NEGOTIATOR AGENCY NEGOTIATORS: CARMEL J. ANGELO, HEATHER COFFMAN, HEIDI DUNHAM, ALAN FLORA, CHERIE JOHNSON AND DONNA WILLIAMSON; EMPLOYEE ORGANIZATION(S): ALL

9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(C) – CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION: – ONE CASE

9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: COUNTY OF MENDOCINO V. SOLID WASTE SYSTEMS MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUK CVG 11 59459

9D) PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – COUNTY COUNSEL

9E) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: JAMES NEUROTH AND JOAN C. NYGREN V. MENDOCINO COUNTY, ET.AL, CASE No. 15 3226 NJV

RECONVENED IN OPEN SESSION: 1:37 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Gjerde.

Board Action: In respect to items 9(a), 9(b), and 9(e); direction was given to staff. Item 9(d) was continued to the September, 13, 2016, Board of Supervisors meeting.

5G) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ADOPTION OF EXTENSION OF URGENCY ORDINANCE ESTABLISHING INTERIM RESTRICTIONS ON THE ESTABLISHMENT OF FORMULA BUSINESSES PENDING THE STUDY AND CONSIDERATION OF ZONING AND OTHER LAND USE REGULATIONS PERTAINING TO SUCH BUSINESSES, CASE SA_2015 0006 – SPONSOR: COUNTY COUNSEL

Presenter/s: Mr. Matt Kiedrowski, Deputy County Counsel III; and Mr. Andy Gustavson, Chief Planner, Planning and Building Services.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors adopts Urgency Ordinance establishing interim restrictions on the establishment of formula businesses pending the study and consideration of zoning and other land use regulations pertaining to such businesses, Case SA_2015-0006, extending the moratorium provisions for 12 months; adopt Agenda Summary as "formal report"; adding map attached as Exhibit A to ordinance previously adopted September 22, 2015; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Chair Gjerde, and Supervisor Hamburg

No: 1 - Supervisor Woodhouse

Enactment No: Ordinance 4362

5J) INFORMATIONAL UPDATE ON THE STATUS OF THE MENDOCINO TOWN LOCAL COASTAL PLAN AMENDMENT (LCPA) AND POSSIBLE DIRECTION OR CONSIDERATION OF COASTAL COMMISSION COMMENTS REGARDING THE SUBMITTED MENDOCINO TOWN LCPA - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Andy Gustafson, Senior Planner, Planning and Building Services.

Public Comment: None.

Board Action: No action taken.

5A) CHIEF EXECUTIVE OFFICER'S REPORT

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: None.

Board Action: No action taken.

5E) DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION DESIGNATING THE ARTS COUNCIL OF MENDOCINO COUNTY (ACMC) AS THE COUNTY OF MENDOCINO'S AUTHORIZED PARTNER FOR THE 2016/2017 CALIFORNIA ARTS COUNCIL'S STATE-LOCAL PARTNERSHIP PROGRAM – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Sarah Dukett, Administrative Analyst II, Executive Office; and Ms. Alyssum Wier, Executive Director, Arts Council of Mendocino County.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors Adopt Resolution designating the Arts Council of Mendocino County as the County of Mendocino's Authorized Partner for the 2016/2017 California Arts Council's State-Local Partnership Program; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

Enactment No: Resolution 16-109

6C) DISCUSSION AND POSSIBLE ACTION REGARDING ACCEPTANCE OF OFFER OF REAL PROPERTY, VACANT LAND, FOR USE BY THE COUNTY LIBRARY IN FORT BRAGG - SPONSOR: SUPERVISOR GJERDE

Presenter/s: Ms. Karen Horner, Director, Mendocino County Library.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors approves (in concept) the expansion of the Fort Bragg library including the future acceptance of the Fort Bragg property providing a Memorandum of Understanding is completed and no County funds are obligated. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

6B) DISCUSSION AND POSSIBLE ADOPTION OF ALLOCATION FORMULA FOR FIRE DEPARTMENTS; AND ASSIGNING OF ONGOING WORK WITH FIRE DEPARTMENTS TO ONE OF THE BOARD OF SUPERVISORS STANDING COMMITTEES - SPONSORS: SUPERVISOR GJERDE AND SUPERVISOR HAMBURG - FIRE AND EMS AD HOC COMMITTEE

Presenter/s: Supervisor Hamburg and Supervisor Gjerde.

Public Comment: Mr. Ben MacMillan; Mr. David Roderick; Mr. Michael Schaefer; and Mr. Alan D. Flora, Assistant Chief Executive Officer.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors authorizes County staff to execute Agreements with the fire departments, and distribute funds to the departments as identified in the FY 2016-17 County Budget. The allocation formula provides funding to the 22 departments recognized as providing primary fire service by the Local Agency Formation Commission, unless any of the departments fail to fulfill the terms of the agreements or County Counsel determines any of the departments are ineligible for these funds. Further, the Board assigns its ongoing work with the fire departments to the Criminal Justice Standing Committee. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, Chair Gjerde, and Supervisor Hamburg

Board Action: GENERAL CONSENSUS OF THE BOARD that the name of the Criminal Justice Committee shall be changed to "Public Safety Committee" when the 2017 Rules of Procedure are adopted in January, 2017.

- 6E) DISCUSSION AND POSSIBLE DIRECTION REGARDING SUBMITTAL OF A BALLOT STATEMENT IN SUPPORT OF MEASURE AH, “SHALL AN ORDINANCE BE ADOPTED CONTAINING SPECIFIC ENACTMENT LANGUAGE THAT WILL ALLOW FOR THE COLLECTION OF TAXES PURSUANT TO THE INITIATIVE TO ADD A HALF-CENT SALES TAX TO FUND FACILITIES IN MENDOCINO COUNTY TO ASSIST IN THE DIAGNOSIS AND TREATMENT OF MENTAL HEALTH AND DRUG DEPENDENCY” APPEARING ON THE NOVEMBER 2016 BALLOT, AND POSSIBLE FORMATION OF AN AD HOC COMMITTEE TO FINALIZE AND SUBMIT SAID BALLOT STATEMENT - SPONSORS: SUPERVISOR GJERDE AND SUPERVISOR MCCOWEN**

Presenter/s: Supervisor McCowen.

Public Comment: Ms. Sarah Reith; Ms. Camille Schraeder; and Mr. Thomas Allman, Sheriff.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Woodhouse, IT IS ORDERED that the Board of Supervisors authorizes the submittal of ballot statements in support of Measure AH, "Shall an Ordinance be Adopted Containing Specific Enactment Language that will Allow for the Collection of Taxes Pursuant to the Initiative to Add a Half-Cent Sales Tax to Fund Facilities in Mendocino County to Assist in the Diagnosis and Treatment of Mental Health and Drug Dependency" appearing on the November 2016 Ballot; and appoints Supervisor Gjerde and Supervisor McCowen as an ad hoc committee to finalize and submit the ballot statement. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, and Chair Gjerde

No: 1 - Supervisor Hamburg

- 5B) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM – SPONSOR: EXECUTIVE OFFICE**

Board Action: No action taken.

- 5K) TRANSPORTATION DIRECTOR’S REPORT – SPONSOR: TRANSPORTATION**

Board Action: No action taken.

- 6A) SUPERVISORS’ REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST**

Board Action: No action taken.

6D) DISCUSSION AND POSSIBLE ACTION REGARDING BALLOT STATEMENTS IN SUPPORT OF MEASURE AI; MEASURE SEEKING VOTER APPROVAL FOR IMPOSING A BUSINESS TAX ON COMMERCIAL CANNABIS BUSINESSES, “SHALL CHAPTER 6.32 BE ADDED TO THE MENDOCINO COUNTY CODE, PLACING A BUSINESS TAX ON CANNABIS CULTIVATION AND DISPENSARIES (NOT TO EXCEED 10% OF GROSS RECEIPTS) AND CANNABIS DISTRIBUTION, DELIVERY, MANUFACTURING, NURSERIES, TESTING LABORATORIES AND TRANSPORTATION BUSINESSES (\$2,500.00 PER YEAR, TO BE ADJUSTED IN ACCORDANCE WITH CONSUMER PRICE INDEX INCREASES) OF MEDICAL AND NONMEDICAL CANNABIS WHERE LEGALIZED BY STATE LAW, POTENTIALLY GENERATING MILLIONS OF DOLLARS ANNUALLY TO HELP FUND COUNTY SERVICES?”, ALONG WITH MEASURE AJ; ITS COMPANION ADVISORY MEASURE, “IF MENDOCINO COUNTY ADOPTS BUSINESS LICENSE TAXES ON CANNABIS BUSINESSES BY THE ADOPTION OF THE MEASURE ADOPTING CHAPTER 6.32, MEASURE AI, SHOULD THE COUNTY USE A MAJORITY OF THAT REVENUE FOR FUNDING ENFORCEMENT OF MARIJUANA REGULATIONS, ENHANCED MENTAL HEALTH SERVICES, REPAIR OF COUNTY ROADS, AND INCREASED FIRE AND EMERGENCY MEDICAL SERVICES?”, APPEARING ON THE NOVEMBER 2016 BALLOT, AND POSSIBLE FORMATION OF AN AD HOC COMMITTEE TO FINALIZE AND SUBMIT SAID BALLOT STATEMENTS - SPONSORS: SUPERVISOR GJERDE AND SUPERVISOR MCCOWEN

SUPERVISOR HAMBURG RECUSED HIMSELF FROM ITEM 6(D).

SUPERVISOR HAMBURG ABSENT: 4:57 P.M.

Presenter/s: Supervisor Gjerde.

Board Action: GENERAL CONSENSUS OF THE BOARD that two Supervisors shall sign the ballot statement in favor of the tax measure; and two shall sign for the advisory measure. The Board will seek to identify members of the community who would most appropriately sign as the remaining signatories.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Woodhouse, IT IS ORDERED that the Board of Supervisors authorizes the submittal of ballot statements in support of Measure AI; Measure Seeking Voter Approval For Imposing A Business Tax On Commercial Cannabis Businesses, "Shall Chapter 6.32 be added to the Mendocino County Code, placing a business tax on cannabis cultivation and dispensaries (not to exceed 10% of gross receipts) and cannabis distribution, delivery, manufacturing, nurseries, testing laboratories and transportation businesses (\$2,500.00 per year, to be adjusted in accordance with Consumer Price Index increases) of medical and nonmedical cannabis where legalized by state law, potentially generating millions of dollars annually to help fund County services?", along with Measure AJ; its companion advisory measure, "If Mendocino County adopts business license taxes on cannabis businesses by the adoption of the measure adopting Chapter 6.32, Measure AI, should the County use a majority of that revenue for funding enforcement of marijuana regulations, enhanced mental health services, repair of county roads, and increased fire and emergency medical services?", appearing on the November 2016 Ballot; and appoints Supervisor Gjerde and Supervisor McCowen to finalize and submit the ballot statements. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Supervisor Woodhouse, and Chair Gjerde

Recused: 1 – Supervisor Hamburg

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:22 P.M.

Attest: KARLA VAN HAGEN
Deputy Clerk of the Board

DAN GJERDE, Chair

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes will be produced in “action only” format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors’ website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available via the County’s YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 3463-4441.
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors’ action minutes are also posted on the County of Mendocino website at: www.co.mendocino.ca.us/bos
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: www.co.mendocino.ca.us/bos

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