

**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

**COUNTY ADMINISTRATION  
CENTER**  
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## **MENDOCINO COUNTY BOARD OF SUPERVISORS**

### **ACTION MINUTES September 13, 2016**

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

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#### **AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:00 A.M.)**

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

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

**Pledge of Allegiance:** Ms. Tammy Moss Chandler.

#### **2A – ADOPTION OF PROCLAMATION RECOGNIZING SEPTEMBER 2016 AS CHILDHOOD CANCER AWARENESS MONTH IN MENDOCINO COUNTY – SPONSOR: SUPERVISOR BROWN**

**Presenter/s:** Ms. Maureen Phillips and Supervisor Brown.

**AGENDA ITEM NO. 3 – PUBLIC EXPRESSION**

**Presenter/s:** Mr. Christian Curtis, Deputy County Counsel; Ms. Mary Jane Montana; Ms. Mariah Montanos; and Ms. Stephanie Chinn Welch.

**AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR**

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously, IT IS ORDERED that consent items 4(a) – 4(e); and 4(g) – 4(aa) are approved/rejected as follows. The motion carried by the following vote:

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

Absent: 1 - Supervisor Woodhouse

**4A) CLAIM OF SHANNON BARDEN**

Rejected;

**4B) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS**

1. Raleigh Page-Russell, In-Home Supportive Services Advisory Council, Older Adult/Dependent Adult Advocate.

Approved;

**4C) ADOPTION OF RESOLUTION APPROVING MENDOCINO COUNTY'S 2016-17 TAX RATES – SPONSOR: AUDITOR-CONTROLLER**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 16-111

**4D) 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 CALIFORNIA INDIAN DAYS PARADE IN COVELO, CALIFORNIA, ON SATURDAY, SEPTEMBER 24, 2016 - SPONSOR: SUPERVISOR WOODHOUSE**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 16-112

**4F) ADOPTION OF PROCLAMATION RECOGNIZING SEPTEMBER 19, 2016, AS REMEMBRANCE DAY IN MENDOCINO COUNTY TO HONOR AND REMEMBER THOSE WHO LIVED AND DIED IN CONFINEMENT AT STATE HOSPITALS AND DEVELOPMENT CENTERS – SPONSOR: SUPERVISOR BROWN**

Adopted and Chair is authorized to sign same;

**4G) APPROVAL OF PARTICIPATION WITH THE COUNTY OF SONOMA ON THE RUSSIAN RIVER CONFLUENCE INITIATIVE – SPONSOR: SUPERVISOR BROWN**

Approved;

**4H) REAPPOINTMENT OF SUPERVISOR JOHN MCCOWEN AND SUPERVISOR DAN HAMBURG AS THE AD HOC COMMITTEE FOR LITIGATION ENTITLED, "COUNTY OF MENDOCINO V. SOLID WASTES SYSTEMS" - CASE No. SCU-K-CVG-11-59459 – SPONSOR: COUNTY COUNSEL**

Approved;

**4I) APPROVAL OF THE BOARD OF SUPERVISORS' RESPONSE TO THE 2015-2016 GRAND JURY REPORT - "MENDOCINO COUNTY POLICY 22 - WHO HAS ACCESS? - SPONSOR: COUNTY COUNSEL**

Approved;

**4J) ADOPTION OF ORDINANCE AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION (CCA) PROGRAM – SPONSOR: EXECUTIVE OFFICE**

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4363

**4K) ACCEPTANCE OF THE MENDOCINO COUNTY BEHAVIORAL HEALTH ADVISORY BOARD'S ANNUAL REPORT FOR FISCAL YEAR 2015-16 – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved;

**4L) APPROVAL OF FOURTH AMENDMENT TO REVENUE AGREEMENT 14-90070 WITH CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES (DHCS) SUBSTANCE USE DISORDER (SUD) SERVICES TO PROVIDE SUD SERVICES FOR FISCAL YEARS 2014-17; AND ADOPTION OF RESOLUTION AUTHORIZING THE HEALTH AND HUMAN SERVICES AGENCY (HHSA) ASSISTANT DIRECTOR/BEHAVIORAL HEALTH DIRECTOR TO SIGN AMENDMENT 14-90070 A04 ON BEHALF OF MENDOCINO COUNTY - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair is authorized to sign same;

Enactment No: Resolution 16-113, Agreement 14-106-A4

**4M) APPROVAL OF AGREEMENT WITH ALLIANCE FOR RURAL COMMUNITY HEALTH (ARCH) IN THE AMOUNT OF \$69,772 FOR SERVICES THAT ASSIST COMMUNITY HEALTH CENTER PATIENTS IN MAINTAINING THEIR ENROLLMENT IN MEDI-CAL IN FISCAL YEARS 2016-2017 AND 2017-18 – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-076

**4N) APPROVAL OF AGREEMENT WITH NATIONAL TRAINING CONSULTANTS IN THE AMOUNT OF \$82,470 TO PROVIDE FACILITATION OF COURT MANDATED FAMILY EMPOWERMENT GROUPS (FEG) FOR FAMILY AND CHILDREN'S SERVICES (FCS) CLIENTS IN FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-077

**4O) APPROVAL OF AGREEMENT WITH MENDOCINO COUNTY YOUTH PROJECT (MCYP) IN THE AMOUNT OF \$189,732, TO PROVIDE EMERGENCY SHELTER CARE FOR YOUNG ADULTS AGES, 18 TO 21 IN FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved;

Enactment No: Agreement 16-080

**4P) APPROVAL OF LETTER TO COMMISSIONER OF DEPARTMENT OF MOTOR VEHICLES REQUESTING EXEMPTION FROM TITLE 13, CALIFORNIA VEHICLE CODE, SECTION 12527(D)(2) FOR LONG VALLEY FIRE PROTECTION DISTRICT (LVFPD) VOLUNTEERS AS NAMED – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved;

**4Q) APPROVAL OF AGREEMENT WITH NEW ERA SECURITY IN THE AMOUNT OF \$140,084.16 FOR FISCAL YEAR (FY) 2016-17 FOR SECURITY GUARD SERVICES AT MENDOCINO COUNTY HEALTH AND HUMAN SERVICES AGENCY (HHSA) UKIAH SOCIAL SERVICES CAMPUS (747 S. STATE STREET), FORT BRAGG SITE (764 S. FRANKLIN), WILLITS INTEGRATED SERVICES CENTER (472 E. VALLEY STREET) AND UKIAH PUBLIC HEALTH BUILDING (1120 S. DORA STREET); AND AUTHORIZATION FOR HHSA DIRECTOR TO SIGN ANY RENEWALS OR AMENDMENTS DURING FY 2017-18 AND 2018-19 THAT DO NOT AFFECT THE ANNUAL MAXIMUM AMOUNT – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved:

Enactment No: Agreement 16-079

**4R) APPROVAL OF THE BEHAVIORAL HEALTH ADVISORY BOARD’S AMENDED BYLAWS, INCLUDING A NAME CHANGE (FROM MENTAL HEALTH ADVISORY BOARD) AND SUBSTANTIAL REVISIONS TO DUTIES, MEMBERSHIP, AND MEETINGS - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved;

**4S) ADOPTION OF RESOLUTION AUTHORIZING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 2830 - OFFICE OF EMERGENCY SERVICES, DELETE ONE (1) FTE PROGRAM MANAGER; ADD ONE (1) FTE EMERGENCY SERVICES COORDINATOR - SPONSOR: HUMAN RESOURCES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 16-114

**4T) APPROVAL OF PURCHASE OF A GENERATOR FOR THE BOOKMOBILE IN THE AMOUNT OF \$15,479.48, ADDITION OF ITEM TO THE COUNTY LIST OF APPROVED FIXED ASSETS, AND APPROVAL OF THE NECESSARY BUDGET TRANSFER OF \$16,000 FROM BUDGET UNIT 6110, LINE 1205750000 TO BUDGET UNIT 6110, LINE 864370 - SPONSOR: LIBRARY**

Approved:

**4U) ADOPTION OF RESOLUTION AUTHORIZING THE CALIFORNIA COASTAL COMMISSION TO ACCEPT AND PROCESS A CONSOLIDATED COASTAL DEVELOPMENT PERMIT REQUEST FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TO CONDUCT GEOTECHNICAL DRILLING AT THE ALBION RIVER BRIDGE OF STATE ROUTE - SPONSOR: PLANNING AND BUILDING SERVICES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 16-115

**4V) APPROVAL OF AGREEMENT WITH MENDOCINO COUNTY YOUTH PROJECT IN THE AMOUNT OF \$78,698 TO PROVIDE A MENTAL HEALTH CLINICIAN FOR INCARCERATED YOUTH, FUNDED THROUGH THE SUPPORTIVE AND THERAPEUTIC OPTIONS PROGRAM (STOP) GRANT AND THE YOUTHFUL OFFENDER BLOCK GRANT; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO SIGN ANY FUTURE AMENDMENTS TO THE AGREEMENT THAT DO NOT INCREASE THE ANNUAL MAXIMUM AMOUNT IN EXCESS OF 5% - SPONSOR: PROBATION**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-078

**4W) RATIFICATION AND APPROVAL OF AMENDMENT NO. 1 TO REVENUE AGREEMENT 15-036 WITH BOARD OF STATE AND COMMUNITY CORRECTIONS IN THE AMOUNT OF \$81,186 AND ADOPTION OF RESOLUTION OF AUTHORIZING THE MENDOCINO COUNTY SHERIFF TO SIGN FUTURE BOARD OF STATE AND COMMUNITY CORRECTIONS BYRNE JUSTICE ASSISTANCE GRANT (JAG) RENEWAL APPLICATIONS INCLUDING ANY AND ALL DOCUMENTS, AND /OR SUBSEQUENT AMENDMENTS FOR THE MENDOCINO PARTNERS AGAINST RECIDIVISM (MPAR) PROJECT - SPONSOR: SHERIFF-CORONER**

Approved and Chair is authorized to sign same;

Enactment No: Resolution 16-116, Agreement 15-036-A1\*

**4X) APPROVAL OF RECURRING TEMPORARY ROAD RESTRICTION OF A PORTION OF OLD RIVER ROAD, COUNTY ROAD 201, FROM UNIVERSITY ROAD, COUNTY ROAD 116B, TO RUDDICK-CUNNINGHAM ROAD, COUNTY ROAD 205, FOR THE ANNUAL HARVEST RIDE FUNDRAISER, SPONSORED BY THE BOYS & GIRLS CLUB OF UKIAH ON SUNDAY, SEPTEMBER 25, 2016 (UKIAH AREA) - SPONSOR: TRANSPORTATION**

Approved:

**4Y) ADOPTION OF RESOLUTION AND APPROVAL OF DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 160045, 2016 QUADRENNIAL SURVEYING SUPPORT AGREEMENT WITH SHN CONSULTING ENGINEERS AND GEOLOGISTS, INC., IN THE AMOUNT OF \$200,000 FOR PROFESSIONAL SURVEY SERVICES ON VARIOUS COUNTY PROJECTS (COUNTY-WIDE); AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ANY AND ALL AMENDMENTS TO THE AGREEMENT NOT TO EXCEED \$20,000 - SPONSOR: TRANSPORTATION**

Approved and Chair is authorized to sign same;

Enactment No: Resolution 16-117, Agreement 16-081

**4Z) ADOPTION OF RESOLUTION APPROVING PARCEL MAP FOR MINOR SUBDIVISION NUMBER 02-2008 (FREY TOMKI PROPERTIES, LLC) AND ACCEPTING ON BEHALF OF THE PUBLIC ITEM (A) OF THE OWNER'S STATEMENT FOR THE PURPOSES SPECIFIED, LOCATED AT 14000 TOMKI ROAD, REDWOOD VALLEY; ASSESSOR'S PARCEL NUMBER'S 107-200-18, 107-180-05, 107-190-15 AND 107-265-19 (REDWOOD VALLEY AREA) – SPONSOR: TRANSPORTATION**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 16-118

**4AA) ACCEPTANCE OF THE MENDOCINO COUNTY ANNUAL INVESTMENT REPORT, INCLUDING REPORT OF POOLED INVESTMENTS AT JUNE 30, 2016 - SPONSOR: TREASURER-TAX COLLECTOR**

Approved;

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

**4E) ADOPTION OF A POLICY FOR THE FORMATION AND GOVERNANCE OF MUNICIPAL ADVISORY COUNCILS (MAC) - SPONSOR: GENERAL GOVERNMENT COMMITTEE**

**Presenter/s:** Supervisor McCowen and Ms. Katharine L. Elliott, County Counsel; and Mr. Alan D. Flora, Assistant Chief Executive Officer.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors continues this item until the September 20, 2016, Board of Supervisors meeting and suspends consideration until the draft Policy is revised, eliminating the adoption of a Resolution for any action the MAC's may wish to take; specifically in reference to Section 11.3 of the draft policy. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Chair Gjerde, and Supervisor Hamburg

No: 1 – Supervisor McCowen

Absent: 1 - Supervisor Woodhouse

**5C) DISCUSSION AND POSSIBLE ACTION REGARDING REAFFIRMING A 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 – SPONSOR: EXECUTIVE OFFICE**

**Presenter:** Ms. Heather Correll, Risk Analyst, Executive Office.

**Public Comment:** None.

**Board Action:** General Consensus of the Board that future reaffirmations of this item shall be placed on the Consent calendar.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors reaffirms 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: 4 - Supervisor Brown, Supervisor McCowen, Chair Gjerde, and Supervisor Hamburg

Absent: 1 - Supervisor Woodhouse

**5G) DISCUSSION AND POSSIBLE ACTION REGARDING THE STATUS OF ADULT MENTAL HEALTH SERVICES TRANSITION AND RELATED ACTIVITIES - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

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

**Public Comment:** None.

**Board Action:** No action taken.

**5D) DISCUSSION AND POSSIBLE ACTION APPOINTING PRIMARY AND ALTERNATE REPRESENTATIVES TO SERVE ON THE BOARD OF DIRECTORS OF SONOMA CLEAN POWER AUTHORITY (SCPA) – SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Supervisor Gjerde.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors designates and appoints Supervisor Hamburg as the primary and Supervisor McCowen as the alternate representative to serve the County on SCPA's Board of Directors. The motion carried by the following vote:

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

Absent: 1 - Supervisor Woodhouse

**5F) DISCUSSION AND POSSIBLE ACTION REGARDING AN UPDATE FROM THE ASSESSOR CLERK-RECORDER ASSOCIATED WITH MENDOCINO COUNTY'S ELECTION PROCESSES – SPONSOR: ASSESSOR CLERK-RECORDER**

**Presenter/s:** Ms. Sue Ranochak, Assessor Clerk-Recorder.

**Public Comment:** Ms. Aleshanee Akin; Ms. Alice Chan; Ms. Cynthia Rizer Jenkins; and Ms. Debbie Moore.

**Board Action:** No action taken.

**5M) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION APPROVING THE 2016 REVISION AND UPDATE TO THE MENDOCINO COUNTY OPERATIONAL AREA EMERGENCY OPERATIONS PLAN (EOP) – SPONSORS: EXECUTIVE OFFICE AND SHERIFF-CORONER**

**Presenter/s:** Mr. Richard Ehlert, Acting Program Manager, Office of Emergency Services; and Mr. Shannon Barney, Lieutenant, Sheriff's Office.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors adopts Resolution approving the 2016 Revision and Update to the Mendocino County Operational Area Emergency Operations Plan (EOP). The motion carried by the following vote:

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

Absent: 1 - Supervisor Woodhouse

Enactment No: Resolution 16-119

**5L) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE READING OF ORDINANCE AMENDING SECTION 7.04.110 OF MENDOCINO COUNTY ORDINANCE, TITLE 7, ENTITLED “EMERGENCY ORGANIZATION AND FUNCTIONS” - SPONSORS: EXECUTIVE OFFICE AND SHERIFF-CORONER**

**Presenter/s:** Mr. Richard Ehlert, Acting Program Manager, Office of Emergency Services; and Mr. Shannon Barney, Lieutenant, Sheriff's Office.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors introduces and waives reading of Ordinance amending Section 7.04.110 of Mendocino County Ordinance, Title 7, entitled "Emergency Organization and Functions." The motion carried by the following vote:

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

Absent: 1 - Supervisor Woodhouse

**5A) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Mr. Alan Flora, Assistant Chief Executive Officer.

**Public Comment:** None.

**Board Action:** No action taken.

**5J) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF INFORMATIONAL PRESENTATION AND UPDATE BY PLANNING & BUILDING SERVICES ON THE FUNCTION, ACTIVITIES AND PRIORITIES OF CODE ENFORCEMENT IN MENDOCINO COUNTY – SPONSOR: PLANNING AND BUILDING SERVICES**

**Presenter/s:** Mr. Steve Dunncliff, Director, Planning and Building Services; Ms. Angie Hamilton, Code Enforcement Officer II, Planning and Building Services.

**Public Comment:** Mr. Lee Howard; Mr. Dan Potash; and Mr. Michael Makdisi, Deputy County Counsel.

**Board Directive:** Direction to Planning and Building Staff to include an update to County Code 8.75, the “Uniform Nuisance Abatement Procedure” in their upcoming Code presentation at the November 1, 2016, Board of Supervisors meeting.

**5H) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE AMENDMENT NO. OA\_2015-0001, AMENDING CHAPTER 20, DIVISIONS I AND II OF THE MENDOCINO COUNTY CODE TO MODIFY THE DEFINITIONS OF "FAMILY," "SUPPORTIVE HOUSING," "TRANSITIONAL HOUSING," "EMERGENCY SHELTER;" AND THE "GROUP CARE" USE TYPE AND TO ALLOW EMERGENCY SHELTERS IN C-1 AND C-2 ZONING DISTRICTS BY RIGHT (CONTINUED FROM AUGUST 2, 2016) – SPONSOR: PLANNING AND BUILDING SERVICES**

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

**Public Comment:** Mr. Aeolian Saint Vincent DePaule.

**Board Action:** Upon motion by Supervisor Hamburg, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors: 1. Approves the attached ordinance amending Divisions I (Inland) and II (Coastal) of the County Zoning Code to modify the definitions of “Family,” “Supportive Housing,” and “Transitional Housing” use types, and allow supportive and transitional housing the same rights as other residential units of the same type, consistent with the 2014 Housing Element Update and State law; and 2. Directs staff to eliminate “emergency shelters” from the typical uses under the “Group Care” Civic Use Type, and create a standalone “Emergency Shelters” Civic Use Type to be considered by the Planning Commission and Board at a later date. The motion carried by the following vote:

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

Absent: 1 - Supervisor Woodhouse

Enactment No: Ordinances 4364 and 4365

**5I) 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 - SPONSORS: PLANNING AND BUILDING SERVICES**

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

**Public Comment:** None.

**Board Action:** No action taken.

**5K) DISCUSSION AND POSSIBLE ACTION REGARDING THE STATUS OF THE BOARD’S 9.31 PROGRAM, “MEDICAL MARIJUANA CULTIVATION REGULATION - SPONSOR: SHERIFF-CORONER**

**Presenter/s:** Mr. Randy Johnson, Undersheriff, Sheriff’s Office.

**Public Comment:** Ms. Hannah Nelson; Ms. Corinne Powell; Mr. Ron Edwards; Mr. Swami Chaitanya; and Ms. Edie Lerman.

**Board Action:** No action taken.

**5E) DISCUSSION AND POSSIBLE ACTION REGARDING UPDATE ON THE DRAFT MEDICAL CANNABIS CULTIVATION ORDINANCE, DRAFT MEDICAL CANNABIS CULTIVATION SITE ZONING REGULATION AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PROJECT DESCRIPTION AND INITIAL STUDY – SPONSOR: AGRICULTURE**

*SUPERVISOR HAMBURG RECUSED HIMSELF FROM THIS ITEM.*

*SUPERVISOR HAMBURG ABSENT AT 3:11 P.M.*

**Presenter/s:** Mr. Chuck Morse, Agricultural Commissioner; Ms. Sarah Dukett, Administrative Analyst, Executive Office; and Mr. Andy Gustavson, Chief Planner, Planning and Building Services.

**Public Comment:** Mr. Justin Calvino; Mr. Mike A'Dair; Ms. Corinne Powell; Ms. Hannah Nelson on behalf of Mr. Casey O'Neill; and Ms. Hannah Nelson.

**Board Directive:** New permits will be allowed only in Ag zoning or watershed.

**Board Directive:** A permit could be issued for a mixed light grow. All other zoning districts for this permit would require water assessment completed prior to moving forward.

**Board Directive:** Staff shall provide a legal definition of “baseline” at the next meeting of the Board of Supervisors.

**Board Directive:** GENERAL CONSENSUS OF THE BOARD that Supervisor McCowen shall meet with staff to provide and clarify edits to the draft based on the issues agreed upon today only. The Board shall review the final draft prior to the next presentation of this item to the Board of Supervisors.

*SUPERVISOR HAMBURG PRESENT AT 5:08 P.M.*

**5N) TRANSPORTATION DIRECTOR’S REPORT – SPONSOR: TRANSPORTATION**

**Board Action:** No action taken.

**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.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:35 P.M.

Attest: KARLA VAN HAGEN  
Deputy Clerk of the Board

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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](http://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](http://www.co.mendocino.ca.us/bos)

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