

**Blake122012CARRE  
BROWN  
1st District  
Supervisor**

**JOHN MCCOWEN  
2nd District  
Supervisor**

**GEORGEANNE  
CROSKEY  
3rd District  
Supervisor  
Vice-Chair**

**DAN GJERDE  
4th District  
Supervisor**

**DAN HAMBURG  
5th District  
Supervisor  
Chair**



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

**KATHARINE L. ELLIOTT  
County Counsel**

**COUNTY ADMINISTRATION CENTER  
501 Low Gap Road, Room 1070  
Ukiah, CA 95482  
(707) 463-4441 (t)  
(707) 463-5649 (f)  
cob@mendocinocounty.org**

## **MENDOCINO COUNTY BOARD OF SUPERVISORS ACTION MINUTES – February 27, 2018**

**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 9:01 A.M.)**

**Present:** Supervisor Carre Brown, Supervisor John McCowen, Supervisor Georgeanne Croskey, Supervisor Dan Gjerde, and Supervisor Dan Hamburg. Chair Hamburg presiding.

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

**The Pledge of Allegiance was led by:** Ms. Maureen Mulheren.

### **2A) ADOPTION OF PROCLAMATION RECOGNIZING MARCH 2018 AS WOMEN'S HISTORY MONTH IN MENDOCINO COUNTY - SPONSORS: SUPERVISORS BROWN AND CROSKEY**

**Presenter/s:** Supervisor Croskey; Supervisor Brown; and Supervisor Hamburg.

**Public Comment:** Ms. Katryzina Rolzinski.

**Board Action:** Adopted without objection.

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

**Presenter/s:** Ms. Monique Ramirez; Ms. Jude Thilman; Mr. Efron Davidson; Mr. Casey O'Neill; Ms. Hannah Nelson; Mr. Paul Hansbury; and Ms. Susan Tibbons.

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

**Presenter/s:** Chair Hamburg.

**Public Comment:** Mr. Lenord Swope; Mr. Kort Petersen; Mr. Russ Ford; and Ms. Julia Acker.

**Board Directive:** Consent calendar item 4(c) removed for separate consideration.

**Board Action:** Board Action: Upon motion by Supervisor McCowen seconded by Supervisor Gjerde, IT IS ORDERED that consent calendar items 4(a) – 4(b) and 4(d) - 4(aa) are approved/rejected as follows. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

**4A) CLAIM OF KENDRA STILLMAN**

Rejected;

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

Approved;

1. Curtis Tyler, Archaeological Commission of Mendocino County, Industry Representative;
2. Allison C. Scott, Archaeological Commission of Mendocino County, Native American Representative;
3. Lois Lockart, Archaeological Commission of Mendocino County, Alternate Member;
4. Richard Willoughby, Community Development Commission, 3rd District Representative;
5. Richard Selzer, Assessment Appeals Board, Member;
6. Shelly Barrett, Assessment Appeals Board, Alternate Member;
7. Todd Crabtree, Policy Council on Children and Youth (PCCY), Member #3;
8. Roseanne Ibarra, Policy Council on Children and Youth (PCCY), Member #12; and
9. Michelle Rich, Behavioral Health Advisory Board, 2nd District Representative.

**4D) ADOPTION OF RESOLUTION DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE REDWOOD COMPLEX FIRE - SPONSOR: EXECUTIVE OFFICE**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-027

**RESOLUTION 18-027**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE REDWOOD COMPLEX FIRE

**4E) APPROVAL OF LETTER TO ASSEMBLYMEMBER WOOD IN SUPPORT OF ASSEMBLY BILL 2641 REGARDING CANNABIS TEMPORARY EVENTS-SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

**4F) ADOPTION OF RESOLUTION SUPPORTING PROPOSITION 69 AND OPPOSING SB 1 REPEAL TO PROTECT MUCH NEEDED NEW STATEWIDE FUNDING TO MAINTAIN AND IMPROVE LOCAL STREETS, ROADS, AND STATE HIGHWAYS - SPONSORS: SUPERVISORS BROWN AND GJERDE**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-028

**RESOLUTION 18-028**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO SUPPORT PROPOSITION 69 AND OPPOSE SENTATE BILL 1 REPEAL

**4G) ADOPTION OF RESOLUTION BY THE MENDOCINO COUNTY BOARD OF SUPERVISORS SUPPORTING THE AWARD OF FUNDING TO THE MENDOCINO LAND TRUST FROM THE CALIFORNIA DEPARTMENT OF CONSERVATION'S SUSTAINABLE AGRICULTURAL LANDS CONSERVATION PROGRAM FOR THE LOVERS LANE VINEYARD CONSERVATION PROJECT - SPONSORS: SUPERVISORS HAMBURG AND McCOWEN**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-029

**RESOLUTION 18-029**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SUPPORTING THE AWARD OF FUNDING TO THE MENDOCINO LAND TRUST FROM THE CALIFORNIA DEPARTMENT OF CONSERVATION'S SUSTAINABLE AGRICULTURAL LANDS CONSERVATION PROGRAM FOR THE LOVERS LANE VINEYARD CONSERVATION PROJECT

**4H) APPROVAL OF AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT NO. 17-098 WITH MITCHELL, BRISSE, DELANEY & VRIEZE INCREASING THE AMOUNT FROM \$100,000 TO \$150,000 FOR LITIGATION SERVICES IN LINDA MORALES V. COUNTY OF MENDOCINO, ET AL - SPONSOR: COUNTY COUNSEL**

Approved and Chair authorized to sign same;

Enactment No: Agreement 17-098-A1

**4I) ADOPTION OF ORDINANCE AMENDING CHAPTER 5.20 OF THE MENDOCINO COUNTY CODE FOR COLLECTION OF TRANSIENT OCCUPANCY TAX ON SHORT TERM VISITOR ACCOMMODATIONS IN PRIVATE CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS - SPONSOR: COUNTY COUNSEL**

Adopted and Chair authorized to sign same;

Enactment No: Ordinance No. 4402

**ORDINANCE NO. 4402**

ORDINANCE AMENDING CHAPTER 5.20 OF THE MENDOCINO COUNTY CODE - TAX IMPOSED ON TRANSIENTS

**4J) ADOPTION OF RESOLUTION ACKNOWLEDGING THAT THE CHAIR HAS BEEN AUTHORIZED TO SIGN THE JOINT OPERATING AGREEMENT (NO. P17OA050) WITH THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY DEPARTMENT OF PARKS AND RECREATION FOR THE REHABILITATION AND USE OF THE FORD HOUSE CARRIAGE HOUSE IN THE MENDOCINO HEADLANDS STATE PARK AS A NEW SHERIFF'S SUBSTATION IN THE TOWN OF MENDOCINO - SPONSOR: COUNTY COUNSEL**

Adopted and Chair authorized to sign same;

Enactment No: Resolution 18-032

RESOLUTION 18-032

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO ACKNOWLEDGING THAT THE CHAIR HAS BEEN AUTHORIZED TO SIGN THE JOINT OPERATION AGREEMENT (NO. P17OA050) WITH THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY DEPARTMENT OF PARKS AND RECREATION FOR THE REHABILITATION AND USE OF THE FORD HOUSE CARRIAGE HOUSE IN THE MENDOCINO HEADLANDS STATE PARK AS A NEW SHERIFF'S SUBSTATION IN THE TOWN OF MENDOCINO

**4K) APPROVAL OF PURCHASE OF ONE PITNEY BOWES RELAY 3000 INSERTING SYSTEM IN THE AMOUNT OF \$11,293.60 FOR CALWORKS JOB SERVICES; APPROVAL OF APPROPRIATION TRANSFER OF FUNDS IN THE AMOUNT OF \$15,000 FROM SOCIAL SERVICES BUDGET UNIT 5010, LINE ITEM SS 86 2120 TO LINE ITEM SS 86 4370; AND ADDITION OF THE INSERTING SYSTEM TO THE APPROVED LIST OF FIXED ASSETS - SPONSOR: HEALTH AND HUMAN SERVICES**

Approved;

**4L) APPROVAL OF AMENDMENT TO AGREEMENT No. SS 17-034, PA No. 17-177 WITH FORD STREET PROJECT IN THE AMOUNT OF \$20,000 (FOR A NEW TOTAL OF \$70,000) TO CONTINUE TO PROVIDE RESIDENTIAL TREATMENT SERVICES FOR THE HEALTH AND HUMAN SERVICES AGENCY (FAMILY AND CHILDREN'S SERVICES CLIENTS REFERRED BY SUBSTANCE USE DISORDERS TREATMENT) IN FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair authorized to sign same;

Enactment No: Agreement 18-017

**4M) APPROVAL OF RETROACTIVE REVENUE AGREEMENT WITH NORTH COAST DRIVERS IN THE AMOUNT OF \$400,000 (NOT TO EXCEED \$20,000 FOR HEALTH AND HUMAN SERVICES AGENCY) TO PROVIDE OVERSIGHT OF PROGRAMS FOR MENDOCINO COUNTY DRIVERS WHO HAVE BEEN CHARGED WITH DRIVING UNDER THE INFLUENCE DURING THE PERIOD OF JULY 1, 2017 TO JUNE 30, 2018 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair authorized to sign same;

Enactment No: Agreement 18-018

**4N) ADOPTION OF RESOLUTION REAFFIRMING THE EXISTENCE OF LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE LOCAL HEALTH OFFICER - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Adopted and Chair authorized to sign same;

Enactment No: Resolution 18-030

RESOLUTION 18-030

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REAFFIRMING THE EXISTENCE OF LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER

**4O) APPROVAL OF AMENDMENT TO AGREEMENT NUMBER 17-043 WITH LIEBERT CASSIDY WHITMORE, FOR EMPLOYER EMPLOYEE RELATIONS SERVICES WITH THE COUNTY'S EIGHT BARGAINING UNITS, DECREASING THE AGREEMENT BY \$75,000, (FOR A NEW TOTAL REVISED AGREEMENT OF \$175,000) FOR THE PERIOD OF JULY 1, 2017, THROUGH JUNE 30, 2018 - SPONSOR: HUMAN RESOURCES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-043-A1

**4P) APPROVAL OF AGREEMENT WITH LIEBERT CASSIDY WHITMORE IN THE AMOUNT OF \$350,000 (\$185,000 PREVIOUSLY APPROVED UNDER SEPARATE BOARD OF SUPERVISORS AGREEMENT NUMBER 17 043 THROUGH DECEMBER 31, 2017; AND \$165,000 FOR ONGOING INVESTIGATIONS THROUGH JUNE 30, 2018) TO PROVIDE PROFESSIONAL INVESTIGATION SERVICES FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018 - SPONSOR: HUMAN RESOURCES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-043-A2

**4Q) APPROVAL OF AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT NUMBER 18 002, WITH ROBERT OCHS TO INCREASE THE AGREEMENT IN THE AMOUNT OF \$15,000 FOR TRAINING AND CONSULTATION SERVICES TO THE PROBATION DEPARTMENT FOR A NEW TOTAL AGREEMENT AMOUNT NOT TO EXCEED \$95,000 AND REVISING THE AGREEMENT TERMINATION DATE FROM MARCH 31, 2018 TO FEBRUARY 24, 2018 - SPONSOR: HUMAN RESOURCES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-002

**4R) ADOPTION OF RESOLUTION AUTHORIZING SALARY GRADE ADJUSTMENTS AS FOLLOWS: PLANNER I, FROM SALARY GRADE S32D TO S38A; PLANNER II, FROM SALARY GRADE S34D TO S39A; PLANNER III, FROM SALARY GRADE S36D TO S40A; SENIOR PLANNER, FROM SALARY GRADE S38D TO S41A; BUILDING INSPECTOR I, FROM SALARY GRADE S32B TO S38A; BUILDING INSPECTOR II, FROM SALARY GRADE S34B TO S39A; BUILDING INSPECTOR III, FROM SALARY GRADE S36B TO S40A; AND SENIOR BUILDING INSPECTOR, FROM SALARY GRADE S37B TO S41A - SPONSOR: HUMAN RESOURCES**

Adopted and Chair is authorized to sign same.

Enactment No: Resolution 18-031

#### RESOLUTION 18-031

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING FOR THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

**4S) APPROVAL OF RECOMMENDATIONS OF THE MENDOCINO COUNTY FISH AND GAME COMMISSION FOR DISBURSEMENT OF \$43,500 OF PROPAGATION FUNDS FOR ROUND 1 OF THE 2017-18 PROJECT CYCLE - SPONSOR: PLANNING AND BUILDING SERVICES**

Approved;

**4T) ACCEPTANCE OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT EM-\_2017 0008 (BRYSON) TO REROOF A SINGLE FAMILY RESIDENCE ON A BLUFF TOP, LOCATED AT 36450 SOUTH HIGHWAY 1, GUALALA (APN: 144 130 36) - SPONSOR: PLANNING AND BUILDING SERVICES**

Approved;

**4U) APPROVAL OF SECOND AMENDMENT TO AGREEMENT NO. JA J17-002 AND PA No.18-77 WITH CANTEEN SERVICES OF UKIAH IN THE AMOUNT OF \$10,000, FOR A NEW AGREEMENT AMOUNT OF \$60,000, FOR INMATE COMMISSARY SERVICE AND SMART DEPOSIT BANKING SYSTEM FOR THE MENDOCINO COUNTY SHERIFF OFFICE JAIL FOR THE TERM OF MAY 1, 2017 THROUGH APRIL 30, 2018 - SPONSOR: SHERIFF-CORONER**

Approved and Chair authorized to sign same;

Enactment No: Agreement 18-019

**4V) APPROVAL OF AMENDMENT TO AGREEMENT PA 18-34 WITH TRINITY SERVICES GROUP, INC., IN THE AMOUNT OF \$350,000, FOR A NEW AGREEMENT TOTAL OF \$400,000, FOR INMATE COMMISSARY SERVICE AND SMART DEPOSIT BANKING SYSTEM FOR THE MENDOCINO COUNTY SHERIFF OFFICE JAIL FOR THE TERM OF JULY 1, 2017 THROUGH JUNE 30, 2018 - SPONSOR: SHERIFF-CORONER**

Approved and Chair authorized to sign same;

Enactment No: Agreement 18-020

**4W) APPROVAL OF RETROACTIVE REVENUE AGREEMENT NO. 2018-26 WITH THE U.S. DEPARTMENT OF JUSTICE DRUG ENFORCEMENT ADMINISTRATION IN THE AMOUNT OF \$98,000 FOR THE ERADICATION AND SUPPRESSION OF ILLICIT CANNABIS ON FEDERAL LANDS FOR THE TERM OF OCTOBER 1, 2017, TO SEPTEMBER 30, 2018 - SPONSOR: SHERIFF-CORONER**

Approved and Chair authorized to sign same;

Enactment No: Agreement 18-016\*

**4X) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 160022, FORSYTHE CREEK BRIDGE REPLACEMENT ON REEVES CANYON ROAD, COUNTY ROAD 219, MILEPOST 0.46 (REDWOOD VALLEY AREA) - SPONSOR: TRANSPORTATION**

Adopted and Chair authorized to sign same;

Enactment No: Resolution 18-033

#### RESOLUTION 18-033

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 160022, FORSYTHE CREEK BRIDGE REPLACEMENT ON REEVES CANYON ROAD, COUNTY ROAD 219, MILEPOST 0.46 (REDWOOD VALLEY AREA)

**4Y) ADOPTION OF RESOLUTION ACCEPTING THE FINDINGS AND RECOMMENDATIONS OF TRAFFIC STUDY NUMBER 17-01 AND DECLARING INTENT TO ESTABLISH A PRIMA FACIE SPEED LIMIT OF 25 MILES PER HOUR ON RUDDICK CUNNINGHAM ROAD, COUNTY ROAD 205, MILEPOST 0.00 TO MILEPOST 0.50 (TALMAGE AREA), DIRECTING DEPARTMENT OF TRANSPORTATION (DOT) AND COUNTY COUNSEL TO PREPARE AND SUBMIT AN ORDINANCE ESTABLISHING PRIMA FACIE SPEED LIMIT AS PRESENTED IN TRAFFIC STUDY No. 17-01, AUTHORIZING AND DIRECTING DOT, UPON ADOPTION OF SAID ORDINANCE, TO ERECT, PLACE AND MAINTAIN THE APPROPRIATE TRAFFIC CONTROL DEVICES (TALMAGE AREA) - SPONSOR: TRANSPORTATION**

Adopted and Chair authorized to sign same;

Enactment No: Resolution 18-034

RESOLUTION 18-034

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ACCEPTING THE FINDINGS AND RECOMMENDATIONS OF TRAFFIC STUDY NUMBER 17-01 AND DECLARING INTENT TO ESTABLISH A PRIMA FACIE SPEED LIMIT OF 25 MILES PER HOUR ON RUDDICK CUNNINGHAM, COUNTY ROAD 205, MILE POST 0.00 TO MILE POST 0.50 (TALMAGE AREA)

**4Z) ADOPTION OF RESOLUTION APPROVING THE REQUEST TO SELL TAX DEFAULTED PROPERTY SUBJECT TO THE POWER OF SALE - SPONSOR: TREASURER—TAX COLLECTOR**

Adopted and Chair authorized to sign same;

Enactment No: Resolution 18-035

RESOLUTION 18-035

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, APPROVING THE REQUEST TO SELL TAX-DEFAULTED PROPERTY SUBJECT TO THE POWER OF SALE

*THE BOARD OF SUPERVISORS JOINTLY CONVENED AS THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT IN CONSIDERATION OF AGENDA ITEM 4(AA)*

**4AA) AUTHORIZATION FOR THE AIR QUALITY MANAGEMENT DISTRICT TO PARTICIPATE IN THE STATE CARL MOYER PROGRAM AND ACCEPTANCE OF STATE PROGRAM FUNDS IN THE AMOUNT OF \$200,000; AUTHORIZATION TO FOLLOW THE REQUIREMENTS OF THE STATE PROGRAM FOR FISCAL YEAR 2017-18 (FUNDING YEAR 20); AND AUTHORIZATION FOR THE AIR POLLUTION CONTROL OFFICER TO SIGN AND SUBMIT THE APPLICATION TO THE CALIFORNIA AIR RESOURCES BOARD - SPONSOR: AIR QUALITY MANAGEMENT DISTRICT**

Approved.

**5A) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF INFORMATIONAL PRESENTATION OF THE COUNTY LEADERSHIP INITIATIVE BY REPRESENTATIVES OF THE COUNTY LEADERSHIP TEAM - SPONSORS: EXECUTIVE OFFICE AND HUMAN RESOURCES**

**Presenter/s:** Ms. Cherie Johnson, Manager, Human Resources; Ms. Katie S. Ford Program Specialist II, Human Resources; Ms. Adrienne Thompson, Administrative Services Manager, Planning and Building Services; Mr. Michael Makdisi, Deputy County Counsel; Ms. Megan DiFranco, Senior Department Analyst, Transportation; Ms. Kristina Bryce, IHSS Program Manager; Health and Human Services Agency; Ms. Natasha Adams, Social Worker I, Health and Human Services Agency; Ms. Lynette Mitchell, Senior Program Manager, Health and Human Services Agency; and Ms. Heidi Dunham, Director, Human Resources.

**Public Comment:** None.

**Board Action:** No action taken.

*BOARD RECESS: 10:40 A.M. – 10:56 A.M.*

**5D) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE ADOPTING ADDITIONS AND AMENDMENTS TO CHAPTER 18.23, LIMITED DENSITY RURAL**

**DWELLINGS, OF THE MENDOCINO COUNTY CODE - SPONSORS: PLANNING AND BUILDING SERVICES AND COUNTY COUNSEL**

**Presenter/s:** Mr. Michael Oliphant, Senior Building Official, Planning and Building Services; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

**Public Comment:** Mr. Scott Ward; Mr. Randy Dorn; Mr. Greg Krauss; Ms. Stephanie Gold; Mr. Robert Sites; Mr. Bill Johnson; Ms. Elizabeth Raybee; Mr. Chris Skyhawk; Mr. David Severn; Mr. Robert Salisbury; Ms. Anna Purna; Mr. Barry Vogel; Ms. Monique Ramirez; Mr. John Mark; Mr. Gregory Sims; Ms. Judy Nelson; Ms. Giny Chandler; Ms. Anna Birkas; Mr. Ted Williams; Ms. Christine Boyd; Ms. Maria Bates; and Mr. Arthur Juhl.

**Board Action:** GENERAL CONSENSUS OF THE BOARD to adopt a square foot limit of 2,000 for Class K houses; with no square foot limitation for Auxiliary Dwelling Units

**Board Action:** GENERAL CONSENSUS OF THE BOARD to require a one (1) acre minimum legal parcel size for all new Class K dwellings.

**Board Action:** GENERAL CONSENSUS OF THE BOARD to require Wildland Urban Interface (WUI) standards for all new Class K single family residences.

**Board Action:** GENERAL CONSENSUS OF THE BOARD to remove sprinkler requirement in limited density rural dwellings.

**Board Action:** GENERAL CONSENSUS OF THE BOARD to require a minimum of three (3) inspections to obtain a Class K permit, at intervals recommended by staff.

**Board Action:** GENERAL CONSENSUS OF THE BOARD to amend the Class K Ordinance to state that the most recently adopted version of the Uniform Building Code (UBC) be the operative code; and allowance for grandfathering existing Class K standards to time of construction, so long as applicant can substantiate the date of construction. If not, then current UBC prevails as operative code.

**Board Action:** GENERAL CONSENSUS OF THE BOARD to allow extensions of time subject to the same standards as apply to a building permit.

**Board Action:** GENERAL CONSENSUS OF THE BOARD to not require a perimeter foundation in Class K dwellings; as Residential Code allows other than perimeter.

BY ORDER OF THE CHAIR Planning and Building Services staff shall place information regarding Class K and its various acceptable building materials on their departmental website.

**Board Action:** GENERAL CONSENSUS OF THE BOARD that there shall be no change to the Ordinance section regarding Recordation of Notice; no requirement for sprinklers; and no change to owner-built section.

*ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS 12:30 P.M.*

**9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: ALEX CHEHADA, ANTHONY CHEHADA V. MENDOCINO COUNTY CASE No. SCUK CVPT 16 66858**

**9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: VICHY SPRINGS RESORT V. CITY OF UKIAH, ET AL. CASE NUMBER SCUK CVPT 18 70200**

**9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9C – CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION: TWO CASES**

**9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - PROPERTY APN: 002 093 25 00; 190 ORR STREET, UKIAH, CALIFORNIA; AGENCY**



**NEGOTIATORS: CARMEL J. ANGELO AND JANELLE RAU. OTHERS INVOLVED: SHERIFF THOMAS ALLMAN. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS OF PAYMENT**

*RECONVENED IN OPEN SESSION 1:30 P.M.*

**AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION**

**Presenter:** Chair Hamburg.

**Board Action:** In respect to agenda item 9(a) and 9(c); direction was given to staff. In respect to 9(b); the Board of Supervisors appointed an Ad Hoc Committee consisting of Supervisors Brown and McCowen to meet with the City of Ukiah regarding litigation issues. In respect to 9(d); the Board of Supervisors took action to approve the purchase of Real Property located at 190 Orr Street, Ukiah, for the amount of \$845,000; with direction to staff to present associated action at a future Board of Supervisors meeting for consideration and approval.

**5E) DISCUSSION AND POSSIBLE ACTION REGARDING UPDATES ASSOCIATED WITH FIRE RECOVERY EFFORTS IN MENDOCINO COUNTY - SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Ms. Tammy Moss Chandler Recovery Director; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

**Public Comment:** None.

**Board Action:** No action taken.

*COUNTY COUNSEL ABSENT 1:39 P.M. – 1:48 P.M.*

**5F) DISCUSSION AND POSSIBLE ACTION TO LAUNCH MENDOCINO 2025, A STRATEGIC ACTION PLAN FOR MENDOCINO COUNTY AND LONG TERM COMMUNITY RECOVERY PLAN FOR THE REDWOOD COMPLEX FIRE - SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Ms. Tammy Moss Chandler, Recovery Director.

**Public Comment:** Mr. Lee Howard.

**Board Action:** No action taken.

*BOARD RECESS: 2:52 P.M. - 3:05 P.M.*

**5G) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATIONS FROM ECONOMIC DEVELOPMENT AND FINANCE CORPORATION (EDFC) AND WEST COMPANY WITH RESPECT TO ENHANCED ECONOMIC DEVELOPMENT SERVICES TO THE COUNTY AND THE COMMUNITY - SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Ms. Amber Munoz, Deputy Director, Transportation; Ms. Heather Gurewitz, Executive Director, Economic Development & Financing Corporation (EDFC); and Ms. Mary Anne Petrillo, Chief Executive Officer, West Company.

**Public Comment:** Mr. Ron Edwards.

**Board Action:** No action taken.

**5K) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF URGENCY ORDINANCE TO MODIFY REQUIREMENTS AND PROCEDURES FOR THE REMOVAL OF FIRE DEBRIS FROM PRIVATE PROPERTY AND NUISANCE ABATEMENT FOLLOWING THE REDWOOD COMPLEX FIRE AS SPECIFIED IN URGENCY ORDINANCE 4398, MODIFYING THE DEADLINE FOR PRIVATE CLEANUP COMPLETION TO A DATE CERTAIN OF MARCH 1, 2018 - SPONSOR: PLANNING AND BUILDING SERVICES**

**Presenter/s:** Mr. Nash Gonzalez, Interim Director, Planning and Building Services; and Mr. Christian Curtis, Assistant County Counsel.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Croskey, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors adopts Urgency Ordinance modifying requirements and procedures for the removal of fire debris from private property and nuisance abatement following the Redwood Complex Fire as specified in Ordinance No. 4398, in order to modify the deadline for private cleanup completion to a date certain of March 1, 2018; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

Enactment No: Ordinance 4403

**ORDINANCE. 4403**

AMENDMENT TO URGENCY ORDINANCE NO. 4398 OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING REQUIREMENTS AND PROCEDURES FOR THE REMOVAL OF FIRE DEBRIS FROM PRIVATE PROPERTY FOLLOWING THE REDWOOD COMPLEX FIRE

**5I) DISCUSSION AND POSSIBLE ACTION REGARDING POSSIBLE AMENDMENTS TO THE MENDOCINO COUNTY CANNABIS BUSINESS TAX ORDINANCE (CHAPTER 6.32) - SPONSORS: TREASURER-TAX-COLLECTOR AND COUNTY COUNSEL**

**Presenter/s:** Ms. Shari Schapmire, Treasurer-Tax Collector.

**Public Comment:** Mr. Casey O'Neill; Mr. Ron Edwards; Ms. Hannah Nelson; Ms. Monique Ramirez; Ms. Corinne Powell; Mr. Paul Hansbury; Ms. Kimberly Tate; Ms. Susan Tibbon; Mr. Roger Wheeler; and Mr. Mark Schaeffer.

**Board Directive:** GENERAL CONSENSUS OF THE BOARD that staff shall replace the words “growing cycle” with “per calendar year basis” in Section 6.32.050, 1(a); replace “fiscal year” with “calendar year” throughout Ordinance and strike “growing cycle” in Definitions.

**Board Directive:** GENERAL CONSENSUS OF THE BOARD that the Minimum Tax shall not be collected until 2018.

**AGENDA ITEM NO. 4 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:****4C) APPROVAL OF LETTER REJECTING ALL BIDS RECEIVED FOR THE ADMINISTRATION CENTER ROOF AND HVAC REPLACEMENT PROJECT - SOUTH WING (BID NUMBER 81-18) AND DIRECTION TO STAFF TO REBID THE PROJECT IN TWO OR MORE PHASES - SPONSOR: EXECUTIVE OFFICE**

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

**Public Comment:** None.

**Board Directive:** BY ORDER OF THE CHAIR this item is continued to the March 13, 2018, Board of Supervisors meeting.

**5J) ~~NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF AN ORDINANCE AMENDING SECTION 20.242.040 – EXISTING MEDICAL CANNABIS CULTIVATION SITES, AS IT RELATES TO EXPANSION ON PARCELS WITHIN THE RANGELAND ZONING DISTRICT – SPONSORS: PLANNING AND BUILDING SERVICES AND COUNTY COUNSEL – CONTINUED TO THE MARCH 13, 2018, BOARD OF SUPERVISORS MEETING.~~**

**5B) TRANSPORTATION DIRECTOR’S REPORT - SPONSOR: TRANSPORTATION**

**Board Action:** No action taken.

**5C) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF THE DEPARTMENT OF PLANNING AND BUILDING SERVICES DEVELOPMENT ACTIVITY REPORT FOR THE MONTH OF JANUARY, 2018 - SPONSOR: PLANNING AND BUILDING SERVICES**

**Board Action:** No action taken

**5H) ~~DISCUSSION AND POSSIBLE ACTION REGARDING INFORMATIONAL UPDATE ON THE IMPLEMENTATION OF THE MENDOCINO COUNTY CANNABIS CULTIVATION PROGRAM AND CANNABIS COMPLIANCE AND CODE ENFORCEMENT UNIT – SPONSOR: AGRICULTURE – WITHDRAWN~~**

**5L) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE**

**Board Action:** No action taken.

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

**6A) SUPERVISORS REPORTS - WITHDRAWN**

#### **AGENDA ITEM NO. 10 – COMMUNICATIONS**

- (a) State Water Resources Control Board - State Water Board's Proposed Rulemaking on Wasteful Water Uses. New document available and additional public comment period underway. For more information, please contact Ms. Charlotte Ely at Charlotte.Ely@waterboards.ca.gov or at (916) 319 8564.
- b) California Water Quality Monitoring Council - Notice of Public Meeting. For more information, please contact Mr. Kris Jones at kristopher.jones@water.ca.gov or at (916) 654 4925.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:30 P.M.

Attest: KARLA VAN HAGEN  
Senior Deputy Clerk of the Board

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DAN HAMBURG, 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) 463-4441.
- 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.Mendocinocounty.org/government/board-of-supervisors](http://www.Mendocinocounty.org/government/board-of-supervisors)
- 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.Mendocinocounty.org/government/board-of-supervisors](http://www.Mendocinocounty.org/government/board-of-supervisors)

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