

CARRE 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 –March 13, 2018

**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 9:00 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: Mr. Mike A'dair.

2A) ADOPTION OF PROCLAMATION RECOGNIZING THE 2018 REDWOOD REGION LOGGING CONFERENCE - SPONSORS: SUPERVISORS BROWN AND MCCOWEN

Presenter/s: Supervisor McCowen; and Supervisor Brown.

Public Comment: None.

Board Action: Adopted without objection.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Thomas Allman; Mr. Matt Kendall; Mr. Bill Barksdale; Mr. Paul Hansbury; and Mr. Lee Howard.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Hamburg.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown seconded by Supervisor McCowen, IT IS ORDERED that consent calendar items 4(a) – 4(j) 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 CHRIS GURR & ANN MARIE BORGES

Rejected;

4B) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Approved;

1. *Deirdre Lamb, Mendocino Historical Review Board, Member;*
2. *Holm Kappler, Mendocino Historical Review Board, Member;*
3. *Thad Van Bueren, Wesport-Ten Mile Cemetery District, Trustee;*
4. *Rebecca Emery, Policy Council on Children and Youth (PCCY), Member #7;*
5. *Charles Kelly, Policy Council on Children and Youth (PCCY), Member #25; and*
6. *Robert Finnell, Assessment Appeals Board, Alternate Member.*

4C) FEBRUARY 27, 2018, REGULAR MEETING

Approved;

4D) FEBRUARY 6, 2018, REGULAR MEETING

Approved;

4E) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE FORT BRAGG RURAL FIRE PROTECTION DISTRICT WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER DURING EVEN-NUMBERED YEARS - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-036

RESOLUTION 18-036

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF FORT BRAGG RURAL FIRE PROTECTION DISTRICT WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER DURING EVEN-NUMBERED YEARS

4F) RATIFICATION OF PURCHASE AGREEMENT AND ESCROW INSTRUCTIONS, FOR THE PURCHASE OF REAL PROPERTY IN THE AMOUNT OF \$845,000 LOCATED AT 190 ORR STREET, UKIAH AND AUTHORIZATION FOR THE PURCHASING AGENT OR DESIGNEE TO SIGN AND EXECUTE ANY AND ALL AGREEMENTS, AMENDMENTS AND OTHER DOCUMENTS RELATED TO THE PURCHASE OF REAL PROPERTY AT 190 ORR STREET, UKIAH (APN No. 002-093-25, 00) - SPONSOR: COUNTY COUNSEL

Approved;

4G) APPROVAL OF AGREEMENT IN THE AMOUNT OF \$50,000 AND APPOINTMENT OF DR. GARY PACE AS COUNTY HEALTH OFFICER WITH MENDOCINO COUNTY HEALTH AND HUMAN SERVICES AGENCY FOR THE PERIOD OF MARCH 14, 2018, THROUGH AUGUST 31, 2018 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-021

4H) APPROVAL OF RETROACTIVE AMENDMENT TO BOS AGREEMENT No. 16-049 WITH REDWOOD QUALITY MANAGEMENT COMPANY INCREASING THE AMOUNT FROM \$5,143,103 TO \$5,273,603 TO REIMBURSE FOR SPECIALTY MENTAL HEALTH SERVICES PROVIDED TO ADULTS, AGE 25 AND OLDER, IN FISCAL YEAR 2016-17; AND APPROVAL OF RETROACTIVE AMENDMENT TO BOS AGREEMENT No. 16-050 WITH REDWOOD QUALITY MANAGEMENT COMPANY INCREASING THE AMOUNT FROM \$9,416,897 TO \$9,967,697 TO REIMBURSE FOR SPECIALTY MENTAL HEALTH SERVICES PROVIDED TO CHILDREN AND YOUTH, AGE 24 AND YOUNGER, IN FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES

Approved and Chair is authorized to same;

Enactment Nos: Agreements 16-050-A1 & 16-049-A1

4I) ADOPTION OF RESOLUTION AUTHORIZING SALARY GRADE ADJUSTMENTS AS FOLLOWS: LICENSED VOCATIONAL NURSE, FROM SALARY GRADE S29D TO S31A; REGISTERED NURSE, FROM SALARY GRADE S33D TO S38B; SENIOR PUBLIC HEALTH NURSE, FROM SALARY GRADE S36D TO S42B; AND SUPERVISING PUBLIC HEALTH NURSE, FROM SALARY GRADE S38D TO S43B; ADOPTION OF PUBLIC HEALTH NURSE, SALARY GRADE S40B; DELETE TWO (2) FTE NURSE CASE MANAGER AND TWO (2) FTE SENIOR NURSE CASE MANAGER; ADD TWO (2) FTE REGISTERED NURSE AND TWO (2) FTE SENIOR PUBLIC HEALTH NURSE; ABOLISH PUBLIC HEALTH NURSE I AND II, NURSE CASE ASSISTANT, NURSE CASE MANAGER AND SENIOR NURSE CASE MANAGER - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-037

RESOLUTION 18-037

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

4J) ADOPTION OF ORDINANCE ADOPTING ADDITIONS AND AMENDMENTS TO CHAPTER 18.23, LIMITED DENSITY RURAL DWELLINGS, OF THE MENDOCINO COUNTY CODE - SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4404

ORDINANCE 4404

ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING ADDITIONS AND AMENDMENTS TO CHAPTER 18.23, LIMITED DENSITY RURAL DWELLINGS, OF THE MENDOCINO COUNTY CODE

5A) DISCUSSION AND POSSIBLE ACTION REGARDING THE PRESENTATION OF FY 2017-18 SECOND QUARTER MID-YEAR BUDGET REPORT AND ADOPTION OF RESOLUTION AMENDING THE FY 2017-18 ADOPTED BUDGET - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Heidi Dunham, Director, Human Resources; Mr. Kenneth Spain, Administrative Analyst, Executive Office; Ms. Sarah Dukett, Senior Administrative Analyst, Executive Office; Mr. Lloyd Weer, Auditor-Controller; Ms. Janelle Rau, Deputy Chief Executive Officer; Ms. Tammy Moss Chandler, Recovery Director; Mr. Kelly Overton, Manager, Cannabis Program; Mr. Steve Dunncliff, Deputy Chief Executive Officer; Mr. Izen Locatelli, Chief Probation Officer; Ms. Julie Forrester, Assistant Treasurer-Tax Collector; Ms. Adrienne Thompson, Administrative Services Manager, Planning and Building Services; Mr. Thomas Allman, Sheriff; and Ms. Diane Curry, Interim Director, Agriculture.

Public Comment: Mr. Ron Edwards; and Mr. Mark Schaffer.

Board Directive: GENERAL CONSENSUS OF THE BOARD for staff to research alternate models for Juvenile Hall including consolidation across multiple counties; including a report to the board regarding population census of the past decade; including Juvenile Justice Rehabilitation Committee as well as other committees that have may oversight.

BOARD RECESS: 10:39 A.M. - 10:55 A.M.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors accepts the Fiscal Year 2017-18 Second Quarter Budget Report [with modification to allocate \$150,000 to Cannabis budget unit and \$375,080 for Fire Recovery]; adopts Resolution amending the Fiscal Year 2017-18 adopted budget; 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: Resolution 18-038

RESOLUTION 18-038

RESOLUTION AMENDING THE FY 2017-18 ADOPTED BUDGET OF THE BOARD OF SUPERVISORS BY ADJUSTING REVENUES AND APPROPRIATIONS

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

9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(B) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – 1 CASE

9B) PURSUANT TO GOVERNMENT CODE SECTION 54956 9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – 1 CASE – LINDA MORALES V. COUNTY OF MENDOCINO, ET AL., USD CASE NO. 3:16-CV-02429-EMC

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

9D) PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE APPOINTMENT – AGRICULTURAL COMMISSIONER / SEALER OF WEIGHTS AND MEASURES

RECONVENED IN OPEN SESSION: 1:31 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Hamburg.

Board Action: In respect to items 9a) - 9d); direction was given to staff.

5D) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF DATA AND RECOMMENDATIONS FROM ROBERT G. MARBUT, PH.D., FOLLOWING HIS RESEARCH ON HOMELESSNESS IN MENDOCINO COUNTY - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Anne Molgaard, Acting Director, Health and Human Services Agency; and Dr. Robert C. Marbut, Ph.D.

Public Comment: Mr. Mike Palleson; Mr. Steve Gomes; and Ms. Camille Schraeder.

Board Action: No action taken.

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF EXTRA HELP APPOINTMENT OF MARGARET SIMONSON TO FULFILL CRITICALLY NEEDED DUTIES AFTER HER RETIREMENT, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 7522.56 - SPONSOR: AUDITOR-CONTROLLER

Presenter/s: Mr. Lloyd Weer, Auditor-Controller.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors approves the Extra Help appointment of Margaret Simonson to fulfill critically needed duties after her retirement, pursuant to California Government Code Section 7522.56. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, and Supervisor Hamburg

No: 1 - Supervisor Gjerde

5E) DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING OPTIONS TO ENCOURAGE HOUSING OPPORTUNITIES TO ASSIST WITH FIRE RECOVERY EFFORTS, INCLUDING REVIEW OF THE INCLUSIONARY HOUSING ORDINANCE - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Chairman Hamburg; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: Mr. Steve Honeycutt; Mr. Alan Nicholson; Mr. Michael Pallesen; Ms. Helen Sizemore; Ms. Lisa Hilleges; Mr. Doug Guillon; Mr. Dick Selzer; Ms. Penny Lauseng; Ms. Susan Knopf; Mr. David Weiss; Mr. Paul Dolan; Mr. John Mayfield; Ms. Renee Elliott; and Mr. Steve Gomes.

Board Directive: GENERAL CONSENSUS OF THE BOARD for staff to bring forward an item presenting alternative ways to encourage housing as well as potential revisions to the Inclusionary Housing Ordinance.

BOARD RECESS: 4:02 P.M. - 4:17 P.M.

5F) 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 (CONTINUED FROM FEBRUARY 27, 2018) - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services; and Mr. Matthew Kiedrowski, Deputy County Counsel.

Public Comment: Mr. Ron Edwards; Mr. Casey O'Neill; Ms. Kathy Monroe; and Ms. Monique Ramirez.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors Adopt Ordinance amending Section 20.242.040 - Existing Medical Cannabis Cultivation Sites, as it relates to expansion on parcels within the Rangeland Zoning District; and authorize 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 4405

ORDINANCE 4405

ORDINANCE AMENDING SECTION 20.242.040 - EXISTING MEDICAL CANNABIS CULTIVATION SITES, AS IT RELATES TO EXPANSION ON PARCELS WITHIN THE RANGELAND ZONING DISTRICT

5G) 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

Presenter/s: Mr. Kelly Overton, Manager, Cannabis Program; and Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services.

Public Comment: Mr. Casey O'Neill; Mr. Ron Edwards; and Ms. Monique Ramirez.

Board Action: No action taken.

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

Presenter/s: Tammy Moss Chandler, Recovery Director; and Steve Dunncliff, Deputy CEO

Public Comment: None.

Board Action: No action taken.

~~5H) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF TRANSMITTING 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 (CONTINUED FROM FEBRUARY 27, 2018) - SPONSOR: EXECUTIVE OFFICE - WITHDRAWN~~**~~5I) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE - WITHDRAWN~~****~~5J) 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 REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD-HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST - WITHDRAWN~~**

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:28 P.M.

Attest: KARLA VAN HAGEN
Senior Deputy Clerk of the Board

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
- 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

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