

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

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –July 24, 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 9:05 A.M.)

Present: Supervisor Carre Brown, Supervisor John McCowen, Supervisor Dan Gjerde, and Supervisor Dan Hamburg. Supervisor Georgeanne Croskey, absent by pre-arrangement. Chair Hamburg presiding.

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

The Pledge of Allegiance was led by: Ms. Heather Gurewitz.

2A) ADOPTION OF PROCLAMATION RECOGNIZING AUGUST, 2018 AS CHILD SUPPORT AWARENESS MONTH IN MENDOCINO COUNTY - SPONSOR: CHILD SUPPORT SERVICES

Presenter/s: Supervisor Brown; and Mr. Randy Johnson, Interim Director, Child Support Services.

Public Comment: None.

Board Action: Adopted without objection.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Millie Whiterock; Ms. Della Whiterock; and Ms. Tonya Whiterock.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Hamburg.

Public Comment: Ms. Elizabeth Cross.

Board Directive: BY ORDER OF THE CHAIR, Consent Calendar item 4(h) is hereby removed for separate consideration.

Board Action: Upon motion by Supervisor Brown, Second by Supervisor McCowen, IT IS ORDERED that Consent Calendar items 4(a) – 4(g); and 4(i) – 4(o) are hereby approved. The motion carried by the following vote:

Aye: 4 – Supervisor Brown, Supervisor McCowen, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

Absent: 1 – Supervisor Croskey

4A) APPROVAL OF MINUTES OF JULY 10, 2018, REGULAR MEETING

Approved;

4B) APPROVAL OF AMENDMENT TO AGREEMENT NO. PH-17-038, PA 18-90, WITH PATRICIA HUMPHREY WARNER, DVM, INCREASING THE AMOUNT FROM \$50,000 TO \$95,000 TO PROVIDE VETERINARY SERVICES FOR ANIMAL CARE SERVICES FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2019 - SPONSOR: HEATH AND HUMAN SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-113

4C) APPROVAL OF MODIFICATION TO THE HOURS OF OPERATION OF THE UKIAH BRANCH OF THE MENDOCINO COUNTY LIBRARY - SPONSOR: LIBRARY

Approved;

4D) AUTHORIZATION FOR THE EXECUTIVE OFFICE/FACILITIES AND FLEET DIVISION TO ESTABLISH THREE NEW CAPITAL IMPROVEMENT PROJECTS FOR THE UKIAH LIBRARY: 1) A NEW CIRCULATION DESK PROJECT ESTIMATED AT \$67,178; 2) AN INTERIOR PAINTING PROJECT ESTIMATED AT \$56,248; AND, 3) A COMMUNITY ROOM AND FIRE ALARM PROJECT ESTIMATED AT \$134,248; AND APPROVAL OF CORRESPONDING APPROPRIATION TRANSFER OF FUNDS FROM LIBRARY BUDGET UNIT 6110, ORG CODE LB, ACCOUNT STRING 865802 TO CAPITAL IMPROVEMENTS BUDGET UNIT 1710, ORG CODE CI, ACCOUNT STRING 827802 IN THE AMOUNT OF \$257,638 - SPONSOR: LIBRARY

Approved;

4E) APPROVAL OF ACCEPTANCE GRANT AWARD THROUGH THE CALIFORNIA STATE LIBRARY "PITCH-AN-IDEA" OF \$100,000 FOR A NEW LIBRARY VEHICLE FOR COMMUNITY OUTREACH - SPONSOR: LIBRARY

Approved;

4F) AUTHORIZATION OF THE ISSUANCE OF AN ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT MODIFICATION OF CDP 2014-0004 (CROSS) TO CHANGE THE USE OF AN APPROVED BARN TO A SINGLE-FAMILY RESIDENCE LOCATED AT 46051 FISH ROCK ROAD (CR 122) (APN: 143-110-32); INCLUDING AN AFTER-THE-FACT APPROVAL FOR TWO STORAGE SHEDS WITH ASSOCIATED IMPROVEMENTS INCLUDE A SEPTIC SYSTEM AND TEMPORARY OCCUPANCY OF A TRAVEL TRAILER WHILE CONSTRUCTING THE PRIMARY DWELLING - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4G) APPROVAL OF PAYMENT TO THE ECONOMIC DEVELOPMENT AND FINANCING CORPORATION (EDFC) FOR INVOICE NO. 199, DATED JULY 1, 2014, IN THE AMOUNT OF \$29,000 FOR CONTRACT SERVICES COMPLETED IN FISCAL YEAR (FY) 2014-15 - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4I) APPROVAL OF AMENDMENT TO REVENUE AGREEMENT 18-016, WITH THE U.S. DEPARTMENT OF JUSTICE (DOJ) DRUG ENFORCEMENT ADMINISTRATION (DEA) IN THE AMOUNT OF \$60,000 FOR THE ERADICATION AND SUPPRESSION OF ILLICIT CANNABIS ON FEDERAL LANDS FOR THE PERIOD TERM OF OCTOBER 1, 2017, TO SEPTEMBER 30, 2018 - SPONSOR: SHERIFF - CORONER

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *18-016-A1

4J) ADOPTION OF ORDINANCE AMENDING SECTION 15.04.030 OF THE MENDOCINO COUNTY CODE - SPEED ZONING ON COUNTY ROADS, ADDING PARAGRAPH 15.04.030(B) (40), ESTABLISHING A TWENTY-FIVE MILES PER HOUR PRIMA FACIE SPEED LIMIT ON RUDDICK CUNNINGHAM ROAD, COUNTY ROAD 205, FROM MILEPOST 0.00 TO MILEPOST 0.50, AND AMENDING PARAGRAPH 15.04.030(F)(6), MAINTAINING A FORTY-FIVE MILES PER HOUR PRIMA FACIE SPEED LIMIT ON RUDDICK CUNNINGHAM ROAD, COUNTY ROAD 205 FROM MILEPOST 0.50 TO THE INTERSECTION OF STATE HIGHWAY 222 (TALMAGE ROAD) (TALMAGE AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance No. 4414

ORDINANCE 4414

ORDINANCE AMENDING SECTION 15.04.030 OF THE MENDOCINO COUNTY CODE – SPEED ZONING ON COUNTY ROADS, ADDING PARAGRAPH 15.04.030(B) (40), ESTABLISHING A TWENTY-FIVE MILES PER HOUR PRIMA FACIE SPEED LIMIT ON RUDDICK CUNNINGHAM ROAD, COUNTY ROAD 205, FROM MILEPOST 0.00 TO MILEPOST 0.50, AND AMENDING PARAGRAPH 15.04.30(F) (6), MAINTAINING A FORTY-FIVE MILES PER HOUR PRIMA FACIE SPEED LIMIT ON RUDDICK CUNNINGHAM ROAD, COUNTY ROAD 205, FROM MILEPOST 0.50 TO THE INTERSECTION OF STATE HIGHWAY 222 (TALMAGE ROAD) (TALMAGE AREA)

4K) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 180054 IN THE AMOUNT OF \$1,000 WITH AND ACCEPTING THE GRANT DEED CONVEYING REAL PROPERTY FROM GARY WAKEMAN AND ANN WAKEMAN, TRUSTEES, FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF PERMANENT 2017 STORM DAMAGE REPAIRS ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, MILEPOST 22.02, PROJECT NUMBER F-1706.101PR (BOONVILLE AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 18-100 and Agreement 18-114

RESOLUTION 18-100

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 180054 IN THE AMOUNT OF \$1,000 WITH AND ACCEPTING THE GRANT DEED CONVEYING REAL PROPERTY FROM GARY WAKEMAN AND ANN WAKEMAN, TRUSTEES, FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF PERMANENT 2017 STORM DAMAGE REPAIRS ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, MILEPOST 22.02, PROJECT NUMBER F-1706.101PR, (BOONVILLE AREA)

4L) ADOPTION OF RESOLUTION INCREASING THE DIRECTOR OF TRANSPORTATION'S CHANGE ORDER AUTHORITY TO A TOTAL OF \$93,994 FOR DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 170023 FOR CONSTRUCTION OF THE 2017 STORM DAMAGE REPAIRS ON ORR SPRINGS ROAD, COUNTY ROAD 223, MILEPOST 39.20 (UKIAH AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 18-101

RESOLUTION 18-101

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING INCREASING THE DIRECTOR OF TRANSPORTATION'S CHANGE ORDER AUTHORITY TO A TOTAL OF \$93,994 FOR DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 170023, FOR CONSTRUCTION OF THE 2017 STORM DAMAGE REPAIRS ON ORR SPRINGS ROAD, COUNTY ROAD 223, MILEPOST 39.20 (UKIAH AREA)

4M) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 180067 IN THE AMOUNT OF \$1,030 WITH AND ACCEPTING THE GRANT DEED CONVEYING REAL PROPERTY FROM JUSTIN JACOBSON DELMER, FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF PERMANENT 2017 STORM DAMAGE REPAIRS ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, MILEPOST 22.02, PROJECT NUMBER F-1706.101PR (BOONVILLE AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 18-102 and Agreement 18-115

RESOLUTION 18-102

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 180067 IN THE AMOUNT OF \$1,030 WITH AND ACCEPTING THE GRANT DEED CONVEYING REAL PROPERTY FROM JUSTIN JACOBSON DELMER, FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF PERMANENT 2017 STORM DAMAGE REPAIRS ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, MILEPOST 22.02, PROJECT NUMBER F-1706.101PR, (BOONVILLE AREA)

4N) APPROVAL OF OUTDOOR FESTIVAL APPLICATION FOR THE ART IN THE REDWOODS FESTIVAL, TO BE HELD AUGUST 18-19, 2018 IN GUALALA, CALIFORNIA - SPONSOR: TREASURER-TAX COLLECTOR

Approved;

THE BOARD OF SUPERVISORS JOINTLY CONVENED AS THE (MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT, MENDOCINO COUNTY PUBLIC FACILITIES CORPORATION, MENDOCINO COUNTY WATER AGENCY, AND THE IHSS PUBLIC AUTHORITY GOVERNING BOARD) IN CONSIDERATION OF AGENDA ITEM 4(O)

4O) APPROVAL OF PROPOSED LIST OF APPLICATIONS FOR AB 923 MOTOR VEHICLE PROGRAM FUNDS FOR THE REPLACEMENT OF SCHOOL BUSES; AUTHORIZATION FOR THE AIR QUALITY MANAGEMENT DISTRICT TO EXPEND FUNDS FROM THE DISTRICT'S AB 923 MOTOR VEHICLE PROGRAM FUND BALANCE FOR SCHOOL BUS REPLACEMENT; AND AUTHORIZATION FOR THE DISTRICT TO ENTER INTO A CONTRACTUAL AGREEMENT WITH EACH OF THE APPLICANTS THAT OUTLINES THE REQUIREMENTS ASSOCIATED WITH THESE FUNDS - SPONSOR: AIR QUALITY MANAGEMENT DISTRICT

Approved;

5A) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION ACCEPTING TWO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED STUDIES; ONE TITLED "REMOVING BARRIERS TO ENTRY FOR LOCAL ECONOMIC DEVELOPMENT IN MENDOCINO COUNTY" AND THE SECOND TITLED, "HOUSING CONDITIONS SURVEY" - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Adrienne Thompson, Administrative Services Manager, Planning and Building Services; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: Ms. Allison Bailey; Mr. Ron Edwards; Ms. Hannah Nelson; Mr. Simeon Evans; and Mr. John Phillips.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors adopts a Resolution accepting two community development block grant (CDBG) funded studies; One titled "Removing Barriers to Entry for Local Economic Development in Mendocino County" and the second titled, "Housing Conditions Survey"; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 – Supervisor Brown, Supervisor McCowen, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

Absent: 1 – Supervisor Croskey

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

Presenter/s: Ms. Adrienne Thompson, Administrative Services Manager, Planning and Building Services; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: Mr. Ron Edwards.

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: Mr. Nash Gonzalez, Interim Director, Planning and Building Services; Ms. Carmel J. Angelo, Chief Executive Officer; and Ms. Darcie Antle, Deputy Chief Executive Officer, Executive Office.

Public Comment: None.

Board Action: No action taken.

5D) DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTMENTS OF BOTH A PUBLIC MEMBER AND A BOARD OF SUPERVISORS REPRESENTATIVE TO THE COUNTYWIDE REDEVELOPMENT/SUCCESSOR AGENCY OVERSIGHT BOARD - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Sarah Dukett, Senior Administrative Analyst, Executive Office.

Public Comment: None.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors appoints Ms. Penny Lauseng as a Public Member and Supervisor McCowen as a Board of Supervisors Representative to the Countywide Redevelopment / Successor Agency Oversight Board. The motion carried by the following vote:

Aye: 4 – Supervisor Brown, Supervisor McCowen, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

Absent: 1 – Supervisor Croskey

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

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

Public Comment: Ms. Anne Molgaard.

Board Action: No action taken.

5E) DISCUSSION AND POSSIBLE ACTION REGARDING INFORMATIONAL UPDATE ON THE IMPLEMENTATION OF THE MENDOCINO COUNTY CANNABIS CULTIVATION PROGRAM AND CANNABIS COMPLIANCE EFFORTS - SPONSOR: AGRICULTURE

Presenter/s: Mr. Harinder Grewal, Agriculture Commissioner/Sealer of Weights and Measures; Ms. Chevon Holmes, Program Administrator, Agriculture; Ms. Mary Lynn Hunt, Chief Planner, Planning and Building Services; Mr. Nash Gonzalez, Interim Director, Planning and Building Services; and Ms. Sarah Dukett, Senior Administrative Analyst, Executive Office.

Public Comment: Mr. Casey O'Neill; Ms. Hannah Nelson; Mr. Louis Bigfoot; and Mr. Ron Edwards.

BOARD RECESS: 10:38 A.M. – 11:04 A.M.

Board Action: No action taken.

4H) APPROVAL OF RETROACTIVE AGREEMENT WITH LACO ASSOCIATES IN THE AMOUNT OF \$300,000, EFFECTIVE JUNE 1, 2018, THROUGH JUNE 30, 2020, TO PROVIDE FUNDING FOR ON CALL PLANNING SERVICES SPECIFICALLY RELATED TO CANNABIS AS WELL AS FUTURE SERVICES TO PREPARE A LOCAL COASTAL PROGRAM AMENDMENT TO ADDRESS CANNABIS IN THE COASTAL ZONE - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Adrienne Thompson, Administrative Services Manager, Planning and Building Services; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: Ms. Hannah Nelson; and Mr. Ron Edwards.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors approves retroactive Agreement with LACO Associates in the amount of \$300,000, effective June 1, 2018, through June 30, 2020, to provide funding for on call services related to cannabis as well as future services to prepare a Local Coastal Program Amendment to address cannabis in the Coastal Zone, and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 – Supervisor Brown, Supervisor McCowen, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

Absent: 1 – Supervisor Croskey

Enactment No: Agreement 18-116

~~5G) 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

Board Action: GENERAL CONSENSUS OF THE BOARD to have the 1915 World's Fair paintings that are currently being displayed at the museum placed in Chambers, once the museum has concluded that exhibit in September.

ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 11:42 A.M.

AGENDA ITEM NO. 9 - CLOSED SESSION

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

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

9C) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE - PLANNING AND BUILDING SERVICES DIRECTOR

RECONVENED IN OPEN SESSION: 2:08 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Hamburg.

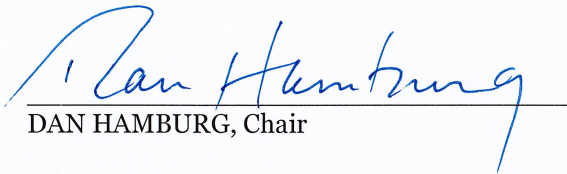
Board Action: In respect to agenda items 9a) - 9c); direction was given to staff.

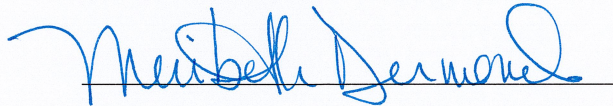
AGENDA ITEM NO. 10 – COMMUNICATIONS

- (10a) State Board of Equalization - Notice of 2018 Taxpayers' Bill of Rights Hearing. For more information, please contact the Taxpayers' Rights Advocate Office at (916) 327-2217.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 2:12 P.M.

Attest: MERIBETH DERMOND
Deputy Clerk of the Board II


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

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