

CARRE BROWN  
1st District  
Supervisor  
Chair

JOHN MCCOWEN  
2nd District  
Supervisor

JOHN HASCHAK  
3rd District  
Supervisor  
Vice-Chair

DAN GJERDE  
4th District  
Supervisor

TED WILLIAMS  
5th District  
Supervisor



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 –September 10, 2019

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 9:02 A.M.)

**Present:** Supervisor Carre Brown, Supervisor John McCowen, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams. Chair Brown presiding.

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

**The Pledge of Allegiance was led by:** Ms. Terry Gowan.

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

**Presenter/s:** Ms. Bertha Cristina Mora; Ms. Bev Galton; Ms. Priscilla Tarver; and Ms. Sheila Dawn Tracy.

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

**Presenter/s:** Chair Brown.

**Public Comment:** Ms. Hannah Nelson.

**Board Action:** Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Consent Calendar items 4a) – 4x) are hereby approved as follows. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

Nay: 0 – None

Absent: 0 – None

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

Approved;

1. Ms. Amy Buckingham, Member, Emergency Medical Care Committee;
2. Mr. David Beak, Member, Emergency Medical Care Committee;
3. Mr. Andres Avila, Member, Emergency Medical Care Committee;
4. Ms. Sue Carberry, Member, Emergency Medical Care Committee;
5. Ms. Teresa Gowan, Member, Emergency Medical Care Committee;
6. Mr. Donald Mills Matheson, Community Representative, Health and Human Services Agency Advisory Board;
7. Ms. Susan Wynd Novotny, Adult System of Care Representative, Health and Human Services Agency Advisory Board; and
8. Mr. Lucresha Renteria, District 4 Representative, Health and Human Services Agency Advisory Board.

**4B) APPROVAL OF MINUTES OF AUGUST 27, 2019, REGULAR MEETING**

Approved;

**4C) APPROVAL OF APPOINTMENTS-IN-LIEU OF ELECTION FOR THE NOVEMBER 5, 2019, CONSOLIDATED DISTRICT ELECTION FOR CANDIDATES WHO FILED THEIR DECLARATION OF CANDIDACY PAPERWORK, AND AUTHORIZE, PRIOR TO NOVEMBER 5, 2019, ADDITIONAL APPOINTMENTS OF QUALIFIED PERSONS BE MADE FOR THE COVELO COMMUNITY SERVICES DISTRICT, CALPELLA COUNTY WATER DISTRICT, LAYTONVILLE COUNTY WATER DISTRICT, WILLOW COUNTY WATER DISTRICT, AND CASPAR SOUTH WATER DISTRICT, WHERE THERE WERE INSUFFICIENT CANDIDATES - SPONSOR: ASSESSOR/CLERK-RECORDER**

Approved;

**4D) ADOPTION OF RESOLUTION APPROVING MENDOCINO COUNTY'S 2019-20 TAX RATES - SPONSOR: AUDITOR-CONTROLLER**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 19-333

RESOLUTION 19-333

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE MENDOCINO COUNTY PROPERTY TAX RATES FOR FISCAL YEAR 2019-20

**4E) ADOPTION OF PROCLAMATION RECOGNIZING SEPTEMBER 16, 2019, AS REMEMBRANCE DAY IN MENDOCINO COUNTY TO HONOR AND REMEMBER THOSE WHO LIVED AND DIED IN CONFINEMENT AT STATE HOSPITALS AND DEVELOPMENT CENTERS - SPONSOR: SUPERVISORS BROWN AND MCCOWEN**

Adopted and Chair is authorized to sign same;



**4F) ADOPTION OF ORDINANCE AMENDING SECTION 3.04.190 OF THE MENDOCINO COUNTY CODE REGARDING COUNTY HOLIDAYS - SPONSOR: COUNTY COUNSEL**

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4435

ORDINANCE 4435

ORDINANCE AMENDING SECTION 3.04.190 OF TITLE 3 OF THE MENDOCINO COUNTY CODE - HOLIDAYS

**4G) APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE JUDICIAL COUNSEL OF CALIFORNIA AND THE COUNTY OF MENDOCINO REGARDING ADA IMPROVEMENTS AT THE UKIAH COURTHOUSE; AUTHORIZATION FOR THE FACILITIES AND FLEET MANAGER TO ESTABLISH THESE IMPROVEMENTS AS A CAPITAL IMPROVEMENT PROJECT, AND AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ACT AS PROJECT MANAGER AND APPROVE CHANGE ORDERS FOR THE PROJECT, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142 - SPONSOR: COUNTY COUNSEL**

Approved and Chair is authorized to sign same;

Enactment No: \*19-219

**4H) APPROVAL OF PURCHASE OF SPECIAL NEEDS VEHICLE IN THE AMOUNT OF \$34,000 WITH DA ASSET FORFEITURE FUND 2110-760220; APPROVAL OF ASSOCIATED APPROPRIATION TRANSFER TO DISTRICT ATTORNEY BUDGET UNIT 2070 REVENUE ACCOUNTS, LINE ITEMS 82-3310 IN THE AMOUNT OF \$34,000 AND TO LINE ITEM 86-4370 IN THE AMOUNT OF \$34,000; AND ADDITION OF ITEM TO COUNTY'S LIST OF FIXED ASSETS - SPONSOR: DISTRICT ATTORNEY**

Approved;

**4I) RATIFICATION OF PURCHASE AGREEMENT, FOR THE PURCHASE OF REAL PROPERTY IN THE AMOUNT OF \$423,000 LOCATED AT 631 SOUTH ORCHARD 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 631 SOUTH ORCHARD STREET, UKIAH (APN No. 002-340-44-00), AND AUTHORIZE CHAIR TO SIGN SAME - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-226

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

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 19-334

RESOLUTION 19-334

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



**4K) 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 19-335

**RESOLUTION 19-335**

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

**4L) AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ESTABLISH A CAPITAL IMPROVEMENT PROJECT FOR THE COVELO ROAD YARD UNDERGROUND STORAGE TANK (UST) CLOSURE PROJECT IN THE AMOUNT OF \$50,000 - SPONSOR: EXECUTIVE OFFICE**

Approved;

**4M) APPROVAL OF AGREEMENT WITH LACO ASSOCIATES, FOR THE PERIOD OF SEPTEMBER 10, 2019 THROUGH JUNE 30, 2020, IN THE AMOUNT OF \$86,506 FOR THE WILLITS AND FORT BRAGG DEPARTMENT OF TRANSPORTATION YARDS (BUILDING #23 AND #9) UNDERGROUND STORAGE TANK MONITORING PROJECTS, IN ACCORDANCE WITH THE NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD (NCRWQCB) APPROVED WORK PLANS; AND AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ACT AS PROJECT MANAGER AND APPROVE CHANGE ORDERS FOR THE PROJECT, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142 - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-220

**4N) AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ESTABLISH CAPITAL IMPROVEMENT PROJECTS FOR THE REDWOOD VALLEY LIONS PARK BATHROOM REPAIRS IN THE AMOUNT OF \$21,000, THE JAIL BUILDING II HEATING VENTILATION AND AIR CONDITIONING UNIT 4 REPLACEMENT IN THE AMOUNT OF \$25,000, AND THE 911 COMMUNICATIONS EQUIPMENT UNINTERRUPTED POWER SUPPLY REPLACEMENT IN THE AMOUNT OF \$60,000 - SPONSOR: EXECUTIVE OFFICE**

Approved;

**4O) ADOPTION OF RESOLUTION APPROVING PROPOSED REVISIONS TO THE GOLDEN STATE FINANCE AUTHORITY JOINT POWERS AGREEMENT AND EXECUTE THE JOINT POWERS AGREEMENT WITH GOLDEN STATE FINANCE AUTHORITY - SPONSOR: EXECUTIVE OFFICE**

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 19-336; Agreement \*19-221

**RESOLUTION 19-336**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING PROPOSED REVISIONS TO THE GOLDEN STATE FINANCE AUTHORITY JOINT POWERS AGREEMENT

**4P) APPROVAL OF MEMORANDUM OF UNDERSTANDING IN THE AMOUNT OF \$0 BETWEEN RURAL COMMUNITY HOUSING DEVELOPMENT CORPORATION AND THE HEALTH AND HUMAN SERVICES AGENCY (HHSA) FOR HOUSING OF ELIGIBLE CLIENTS RECEIVING AID FROM HHSA, EFFECTIVE UPON SIGNING THROUGH JULY 31, 2039 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-222



**4Q) APPROVAL OF AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT NO. 17-103 WITH DIMENSION REPORTS, LLC, IN THE AMOUNT OF \$3,500 FOR A NEW AGREEMENT TOTAL OF \$62,000 TO PROVIDE OVERSIGHT OF SHORT DOYLE MEDI-CAL SYSTEM PROGRAMS AND REPORTS FOR BEHAVIORAL HEALTH AND RECOVERY SERVICES, EFFECTIVE WHEN FULLY EXECUTED THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-103-A1

**4R) ADOPTION OF RESOLUTION AFFIRMING THE HEALTH AND HUMAN SERVICES AGENCY AS THE ADMINISTRATIVE ENTITY FOR THE MENDOCINO COUNTY HOMELESS SERVICES CONTINUUM OF CARE, AUTHORIZING RECEIPT OF ROUND 2 FUNDS FROM THE CALIFORNIA EMERGENCY SOLUTIONS AND HOUSING PROGRAM ALLOCATION UP TO \$1,854,896 TO ASSIST PERSONS WHO ARE EXPERIENCING OR ARE AT RISK OF HOMELESSNESS IN FISCAL YEARS 2018-19 THROUGH 2022-23, AND AUTHORIZING THE HEALTH AND HUMAN SERVICES AGENCY DIRECTOR OR DESIGNEE TO EXECUTE THE STANDARD AGREEMENT AND ANY SUBSEQUENT AMENDMENTS OR MODIFICATIONS THAT DO NOT INCREASE THE MAXIMUM AMOUNT - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 19-337

RESOLUTION 19-337

A NECESSARY QUORUM AND MAJORITY OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS, IN ORDERSIGHT OF THE MENDOCINO COUNTY HEALTH AND HUMAN SERVICES AGENCY ("APPLICANT"), HEREBY CONSENT TO ADOPT AND RATIFY THE FOLLOWING RESOLUTIONS

**4S) ADOPTION OF RESOLUTION REAFFIRMING THE EXISTENCE OF LOCAL HEALTH EMERGENCY RELATED TO THE MENDOCINO COMPLEX FIRE, AS PROCLAIMED BY THE LOCAL HEALTH OFFICER - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 19-338

RESOLUTION 19-338

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

**4T) AUTHORIZATION OF THE ISSUANCE OF AN ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. CDP\_2019\_0009 (PACURAR), IN THE MENDOCINO AREA, TO CONSTRUCT A SINGLE-FAMILY RESIDENCE WITH ATTACHED GARAGE, ACCESSORY STRUCTURES, WITH MAJOR VEGETATION REMOVAL, LOCATED WITHIN SURFWOOD SUBDIVISION IN MENDOCINO (APN: 118-330-20) - SPONSOR: PLANNING AND BUILDING SERVICES**

Approved;

**4U) RATIFICATION OF SUBMISSION OF 2019-20 APPLICATION FOR DOMESTIC CANNABIS ERADICATION SUPPRESSION PROGRAM (DCESP) FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE (DOJ) DRUG ENFORCEMENT AGENCY (DEA) - SPONSOR: SHERIFF-CORONER**

Approved;

**4V) RATIFICATION OF SUBMISSION OF 2019-20 APPLICATION FOR U.S. DEPARTMENT OF JUSTICE (DOJ) EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM FISCAL YEAR 2019 LOCAL SOLICITATION APPLICATION IN THE AMOUNT OF \$21,643 - SPONSOR: SHERIFF-CORONER**

Approved;



**4W) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 180100, 2017 FIRE DAMAGE REPAIRS ON POTTER VALLEY ROADS (POTTER VALLEY AREA) - SPONSOR: TRANSPORTATION**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 19-339

**RESOLUTION 19-339**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 180100, 2017 FIRE DAMAGE REPAIRS POTTER VALLEY ROADS (POTTER VALLEY AREA)

**4X) ADOPTION OF ORDINANCE AMENDING CHAPTER 15.16 OF THE MENDOCINO COUNTY CODE PROTECTION OF COUNTY ROADS, ADDING SECTION 15.16.070 - PROHIBITED ACTIVITIES WITHIN OR ADJACENT TO COUNTY ROAD, AND SECTION 15.16.080 - ENFORCEMENT OF SECTION 15.16.070 (COUNTYWIDE) - SPONSOR: TRANSPORTATION**

Adopted and Chair is authorized to sign same.

Enactment No: Ordinance 4436

**ORDINANCE 4436**

ORDINANCE AMENDING MENDOCINO COUNTY CODE CHAPTER 15.16 – PROTECTION OF COUNTY ROADS, ADDING SECTION 15.16.070 – PROHIBITED ACTIVITIES WITHIN OR ADJACENT TO COUNTY ROAD AND SECTION 15.16.080 – ENFORCEMENT OF SECTION 15.16.070 (COUNTYWIDE)

**~~5I) DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE ESTABLISHMENT OF A CANNABIS BUSINESS TAX APPEAL PROCEDURE, INCLUDING THE POTENTIAL FOR USING A HEARING OFFICER TO HEAR APPEALS - SPONSOR: PLANNING AND BUILDING SERVICES - WITHDRAWN~~****~~5C) DISCUSSION AND POSSIBLE ACTION REGARDING AN UPDATE TO THE BOARD OF SUPERVISORS FROM THE MENTAL HEALTH TREATMENT ACT CITIZEN'S OVERSIGHT COMMITTEE ON PROGRESS SINCE THE AUGUST 6, 2019 UPDATE - SPONSOR: EXECUTIVE OFFICE - WITHDRAWN~~**

**5E) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION ADOPTING THE NEW CLASSIFICATION OF SHERIFF'S LEGAL SPECIALIST, \$1,664.80 - \$2,023.20, AND AUTHORIZING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: SHERIFF-CORONER, BUDGET UNIT 2310 - DELETE 1.0 FTE LEGAL SECRETARY II; ADD 1.0 FTE SHERIFF'S LEGAL SPECIALIST; AND AUTHORIZATION FOR THE RECLASSIFICATION AND SALARY ADJUSTMENT OF THE AFFECTED INCUMBENT - SPONSOR: HUMAN RESOURCES**

**Presenter/s:** Ms. Juanie Cranmer, Manager, Human Resources.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors adopts Resolution adopting the classification of Sheriff's Legal Specialist \$1,664.80 \$2,023.20, and authorizing changes to the Position Allocation Table as follows: Sheriff Coroner, Budget Unit 2310 delete 1.0 FTE Legal Secretary II; add 1.0 FTE Sheriff's Legal Specialist; authorizes the Chair to sign same; and further authorizes the reclassification and salary adjustment of the affected incumbent. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Resolution 19-340

#### RESOLUTION 19-340

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



**5F) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION ADOPTING THE NEW CLASSIFICATION OF SENIOR LEGAL ASSISTANT, \$1,835.20 - \$2,231.20/BI WEEKLY, AND AUTHORIZING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: DISTRICT ATTORNEY, BUDGET UNIT 2070 - DELETE 1.0 FTE OFFICE SERVICES SUPERVISOR; ADD 1.0 FTE LEGAL SERVICES SUPERVISOR, 1.0 FTE SENIOR LEGAL ASSISTANT, AND 1.0 FTE DISTRICT ATTORNEY INVESTIGATOR - SPONSOR: HUMAN RESOURCES**

**Presenter/s:** Ms. Juanie Cranmer, Manager, Human Resources; and Mr. C. David Eyster, District Attorney.

**Public Comment:** Mr. Casey O'Neill; Mr. Thomas Allman; Ms. Hannah Nelson; and Ms. Monique Ramirez.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors adopts Resolution adopting the classification of Senior Legal Assistant, \$1,835.20 \$2,231.20/bi weekly, and authorizing changes to the Position Allocation Table as follows: District Attorney, Budget Unit 2070 - delete 1.0 FTE Office Services Supervisor; add 1.0 FTE Legal Services Supervisor, 1.0 FTE Senior Legal Assistant, and 1.0 FTE District Attorney Investigator; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 - None

Enactment No: Resolution 19-341

RESOLUTION 19-341

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

**5D) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO COUNTY COUNSEL TO FILE COMMENTS IN PHASE TWO OF THE CALIFORNIA PUBLIC UTILITIES COMMISSION INVESTIGATION REGARDING DE-ENERGIZATION PROTOCOLS - SPONSOR: COUNTY COUNSEL**

**Presenter/s:** Ms. Katharine Elliot, County Counsel.

**Public Comment:** Mr. Louis Bigfoot.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors directs County Counsel to file comments in phase two of the California Public Utilities Commission (CPUC) investigation regarding de-energization protocols. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 - None

**~~5J) TRANSPORTATION DIRECTOR'S REPORT - SPONSOR: TRANSPORTATION - WITHDRAWN~~**



**5G) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF AN ORDINANCE REZONING ONE (1) LEGAL PARCEL, LOCATED AT 9651 NORTH STATE STREET, REDWOOD VALLEY (APN: 162 100 55), TOTALING 1.63± ACRES, CURRENTLY ZONED LIMITED COMMERCIAL WITH COMMUNITY CHARACTER COMBINING DISTRICT (C1:CC), TO GENERAL COMMERCIAL WITH COMMUNITY CHARACTER COMBINING DISTRICT (C2:CC) (R\_2019-0004 - BRADLE) - SPONSOR: PLANNING AND BUILDING SERVICES**

**Presenter/s:** Mr. Samuel Vandewater, Planner, Planning and Building Services.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors adopts Ordinance rezoning one (1) legal parcel, located at 9651 North State Street, Redwood Valley (APN: 162 100 55), totaling 1.63± acres, from Limited Commercial with Community Character Combining District (C1:CC), to General Commercial with Community Character Combining District (C2:CC); and authorizes Chair to sign the same. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Ordinance 4437

ORDINANCE 4437

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY

*BOARD RECESS: 10:17 A.M. – 10:29 A.M.*

**6B) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF TO DEVELOP AN INDUSTRIAL HEMP CULTIVATION REGISTRATION PROCESS, LIMITED TO FEMINIZED SEEDS AND FEMALE PLANTS, AND ANY ADDITIONAL REGULATION NECESSARY TO PROTECT CANNABIS CULTIVATION (SPONSORS: SUPERVISOR WILLIAMS AND SUPERVISOR BROWN) - SPONSOR: TRANSPORTATION**

**Presenter/s:** Supervisor Williams; Supervisor Brown; Mr. Jim Donnelly, Agricultural Commissioner; and Mr. Jesse Davis, Senior Planner, Planning and Building Services.

**Public Comment:** Mr. Ron Edwards; Ms. Linda Gray; Ms. Monique Ramirez; Ms. Hannah Nelson; Ms. Sarah Bodnar; Mr. Casey O'Neill; Ms. Devon Jones; and Mr. Bryan White.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor McCowen IT IS ORDERED that staff is directed to work with the Cannabis Economic Development Ad Hoc Committee to develop an industrial hemp cultivation process and to work with cannabis and farming stakeholders to adequately protect existing cannabis cultivation. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

*ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 11:20 A.M.*



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

**9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) – CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION: ONE CASE**

**9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) – CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION: FOUR CASES**

**9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: KEEP THE CODE V. COUNTY OF MENDOCINO, (CASE No. 1). MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUK-CVPT-12-60196**

**9E) PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE APPOINTMENT – COUNTY COUNSEL**

*RECONVENED IN OPEN SESSION: 1:35 P.M.*

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

**Presenter:** Chair Brown.

**Board Action:** No action taken.

**5H) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION TO (1) ADOPT RESOLUTION APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS, FOR AMENDMENTS TO CHAPTER 10A.17 AND CHAPTER 20.242 OF THE MENDOCINO COUNTY CODE; AND (2) INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE AMENDING CHAPTER 10A.17 - MENDOCINO CANNABIS CULTIVATION ORDINANCE AND CHAPTER 20.242 CANNABIS CULTIVATION SITES - SPONSOR: PLANNING AND BUILDING SERVICES**

**Presenter/s:** Mr. Jesse Davis, Senior Planner, Planning and Building Services; and Mr. Matthew Kiedrowski, Deputy County Counsel.

**Public Comment:** Ms. Hannah Nelson; Ms. Monique Ramirez; Ms. Linda Gray; Mr. Louis Bigfoot; and Ms. Corrine Powell.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors Adopt Resolution Approving and Adopting an Addendum to the Previously Adopted Mitigated Negative Declaration, in Compliance with California Environmental Quality Act (CEQA) Requirements, for Amendments to Chapter 10A.17 and Chapter 20.242 of the Mendocino County Code, and authorize Chair to sign same; and introduces and waives First Reading of an Ordinance Amending Chapter 10A.17 - Mendocino Cannabis Cultivation Ordinance and Chapter 20.242 - Cannabis Cultivation Sites. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Resolution 19-342

#### **RESOLUTION 19-342**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR AMENDMENTS TO CHAPTERS 10A.17 AND 20.242 OF THE MENDOCINO COUNTY CODE



**6C) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO COUNTY COUNSEL TO RESPOND TO JULY 6, 2016 MENDOCINO REDWOOD COMPANY LETTER REGARDING MEASURE V - SPONSOR: SUPERVISOR WILLIAMS**

**Presenter/s:** Supervisor Williams.

**Public Comment:** Ms. Ellen Faulkner; Ms. Margie Chandler; Mr. Louis Bigfoot; Ms. Linda Gray; and Mr. John Andersen.

**Board Action:** Upon motion by Supervisor Gjerde, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors directs Chief Executive Officer and County Counsel to prepare a letter to Mendocino Redwood Company responding to the points raised in their letter dated July 6, 2016. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

*ADJOURNED TO CLOSED SESSION: 2:44 P.M.*

*RECOVERED IN OPEN SESSION: 4:16 P.M.*

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

**Presenter:** Chair Brown.

**Board Action:** With respect to items 9a) through 9d), direction was given to staff. With regard to agenda item 9e), Christian Curtis was appointed County Counsel.

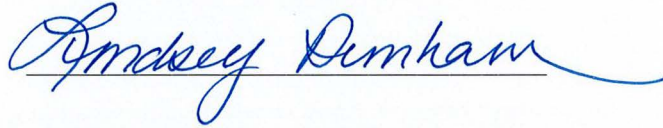
**6A) SUPERVISORS' REPORTS****~~5A) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE - WITHDRAWN~~****~~5B) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM – SPONSOR: EXECUTIVE OFFICE - WITHDRAWN~~**



THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:35 P.M.

Attest: LINDSEY DUNHAM  
Deputy Clerk of the Board

  
CARLE BROWN, 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*