CARRE BROWN 1st District Supervisor JOHN MCCOWEN 2nd District Supervisor JOHN HASCHAK 3rd District Supervisor Vice-Chair DAN GJERDE 4th District Supervisor TED WILLIAMS 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 9, 2019

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 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; Ms. Lindsey Dunham, Deputy Clerk of the Board; and Ms. Karla Van Hagen, Senior Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Mr. Thomas Allman.

AGENDA ITEM NO. 3 - PUBLIC EXPRESSION

Presenter/s: Mr. Thomas Allman.

AGENDA ITEM NO. 4 - APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Brown; Supervisor Gjerde; and Mr. Izen Locatelli, Chief Probation Officer, Probation.

Public Comment: Ms. Karen Horner.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that 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

No: o - None

Absent: o - None

4A) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Approved;

- 1. Mr. Bruce Richard, County B, Mendocino Transit Authority; and
- 2. Mr. Donald Hess, Member Gualala Municipal Advisory Council

4B) APPROVAL OF MINUTES OF JUNE 18, 2019

Approved;

4C) APPROVAL OF RETROACTIVE AMENDMENT TO AGREEMENT 14-069, MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE COUNTIES OF MENDOCINO, SONOMA, MARIN, AND NAPA AS PART OF THEIR PARTICIPATION IN THE NORTH BAY NORTH COAST BROADBAND CONSORTIUM "NBNCBC" FOR THE TERM OF JULY 1, 2019 THROUGH DECEMBER 31, 2023 - SPONSOR: SUPERVISOR WILLIAMS AND SUPERVISOR HASCHAK

Approved and Chair is authorized to sign same;

Enactment No: Agreement *14-069-A1

4D) APPROVAL OF AMENDMENT TO BOS AGREEMENT NO. 17-122 WITH RANEY PLANNING & MANAGEMENT IN THE AMOUNT OF \$30,001, FOR A NEW AGREEMENT TOTAL OF \$196,873, AND EXTENDING THE TERMINATION DATE FROM JUNE 30, 2019 TO DECEMBER 31, 2019, FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE INTEGRATED WILDLIFE DAMAGE MANAGEMENT PROGRAM-SPONSOR: AGRICULTURE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-122-A1

4E) ADOPTION OF ORDINANCE AMENDING MENDOCINO COUNTY CODE SECTION 6.32.150 - APPEAL PROCEDURE OF MENDOCINO COUNTY CODE CHAPTER 6.32 - CANNABIS BUSINESS TAX - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4432

ORDINANCE 4432

AN ORDINANCE OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, AMENDING SECTION 6.32.150 – APPEAL PROCEDURE, OF MENDOCINO COUNTY CODE CHAPTER 6.32 – CANNABIS BUSINESS TAX

4F) APPROVAL OF AGREEMENT WITH MENDOCINO COUNTY LAW LIBRARY TO HOUSE A LAW LIBRARY COMPUTER TERMINAL FOR PUBLIC USE AT THE FORT BRAGG LIBRARY - SPONSOR: CULTURAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-171

4G) APPROVAL OF A MASTER AGREEMENT FOR TAXING ENTITY COMPENSATION TO ALLOW PROPERTIES LISTED IN THE AGREEMENT TO BE SOLD AND/OR CONVEYED AS OUTLINED IN THE UKIAH SUCCESSOR AGENCY TO THE UKIAH REDEVELOPMENT AGENCY'S LONG RANGE MANAGEMENT PLAN, EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED UNTIL NET UNRESTRICTED PROCEEDS FROM SALE OF LAST SITES HAS BEEN PAID TO COUNTY AUDITOR-CONTROLLER - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement: *19-172

4H) APPROVAL OF RETROACTIVE AMENDMENT TO AGREEMENT 18-253 WITH LIEBERT CASSIDY WHITMORE (LCW) FOR LITIGATION SERVICES FOR MCCALL V. COUNTY OF MENDOCINO, IN THE AMOUNT OF \$60,000, FOR A NEW AGREEMENT TOTAL OF \$110,000, AND EXTENDING THE TERMINATION DATE FROM JUNE 30, 2019 TO DECEMBER 31, 2019, FOR THE TERM OF APRIL 30 2019 THROUGH DECEMBER 31, 2019 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement: 19-173

41) APPROVAL OF AGREEMENT WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$100,000 TO PROVIDE VOCATIONAL SERVICES TO CLIENTS WITH MENTAL HEALTH CHALLENGES, EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement: 19-174

4J) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$68,957 TO PROVIDE SERVICES TO SEVERELY MENTALLY ILL CLIENTS ON THE MENDOCINO COAST THROUGH THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION GRANT FOR THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement: 19-175

4K) APPROVAL OF AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC., IN THE AMOUNT OF \$133,226 TO PROVIDE EXPANDED SUBSIDIZED EMPLOYMENT FOR CALWORKS PARTICIPANTS EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement: 19-176

4L) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC., DBA REDWOOD COMMUNITY CRISIS CENTER IN THE AMOUNT OF \$92,299 TO PROVIDE SERVICES TO SEVERELY MENTALLY ILL CLIENTS THROUGHOUT MENDOCINO COUNTY THROUGH THE SUBSTANCE

ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION GRANT FOR THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement: 19-177

4M) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC. IN THE AMOUNT OF \$610,320 TO PROVIDE IMMEDIATE PLACEMENT SERVICES FOR FOSTER CHILDREN, PLACED BY THE HEALTH AND HUMAN SERVICES AGENCY, FAMILY AND CHILDREN'S SERVICES IN EFFECTIVE JULY 1, 2019 THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement: 19-178

4N) APPROVAL OF RETROACTIVE AGREEMENT WITH TAPESTRY FAMILY SERVICES IN THE AMOUNT OF \$62,100 TO PROVIDE IMMEDIATE EMERGENCY PLACEMENT SERVICES FOR FOSTER CHILDREN, PLACED BY THE HEALTH AND HUMAN SERVICES AGENCY, FAMILY AND CHILDREN'S SERVICES EFFECTIVE JULY 1, 2019 THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement: 19-179

40) ADOPTION OF RESOLUTION AND APPROVAL OF RETROACTIVE AGREEMENT WITH EMPLOYMENT DEVELOPMENT DEPARTMENT IN THE AMOUNT OF \$75,010, TO PROVIDE JOB DEVELOPMENT SERVICES TO CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS JOB SERVICES PARTICIPANTS FOR THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment No: Agreement *19-180 and Resolution 19-203

4P) APPROVAL OF RETROACTIVE AGREEMENT FORD STREET PROJECT IN THE AMOUNT OF \$103,680 TO PROVIDE JOB DEVELOPMENT SERVICES TO CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS JOB SERVICES PARTICIPANTS FOR THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement: 19-181

4Q) ADOPTION OF RESOLUTION ADOPTING THE NEW CLASSIFICATION OF SHERIFF'S BUSINESS SERVICES OFFICER, SALARY GRADE U42W - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 19-204

4R) ADOPTION OF PROCLAMATION RECOGNIZING JULY 21-27, 2019 AS PROBATION SERVICES WEEK IN MENDOCINO COUNTY - SPONSOR: SUPERVISOR BROWN, SUPERVISOR McCOWEN, AND PROBATION

Adopted and Chair is authorized to sign same;

4S) ADOPTION OF ORDINANCE ADDING SECTION 2.38.020 TO CHAPTER 2.28 OF MENDOCINO COUNTY CODE REGARDING DESIGNATION OF RESERVE DEPUTY SHERIFFS - SPONSOR: SHERIFF-CORONER

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4433

ORDINANCE 4433

AN ORDINANCE ADDING SECTION 2.38.020 TO CHAPTER 2.38 TO TITLE 2 OF THE MENDOCINO COUNTY CODE ENTITLED "RESERVE DEPUTY SHERIFF – DESIGNATED AND NON-DESIGNATED"

4T) ADOPTION OF RESOLUTION APPROVING AND LEVYING A SPECIAL TAX FOR FISCAL YEAR 2019-20 IN THE AMOUNT OF \$45.50 ON EACH PARCEL WITHIN THE LAKEWOOD LIGHTING DISTRICT OF MENDOCINO COUNTY (UKIAH AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same

Enactment No: Resolution 19-205

RESOLUTION 19-205

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AND LEVYING A SPECIAL TAX FOR FISCAL YEAR 2019-2020 IN THE AMOUNT OF \$45.50 ON EACH PARCEL WITHIN THE LAKEWOOD LIGHTING DISTRICT OF MENDOCINO COUNTY (UKIAH AREA)

4U) APPROVAL OF OUTDOOR FESTIVAL APPLICATION FOR THE MENDOCINO MUSIC FESTIVAL TO BE HELD JULY 13-27, 2019, AT THE HEADLANDS STATE PARK IN MENDOCINO - SPONSOR: TREASURER-TAX COLLECTOR

Approved;

4V) APPROVAL OF OUTDOOR FESTIVAL APPLICATION FOR NORTHERN NIGHTS MUSIC FESTIVAL TO BE HELD JULY 18-21, 2019, AT THE COOKS VALLEY CAMPGROUND IN PIERCY, CALIFORNIA - SPONSOR: TREASURER-TAX COLLECTOR

Approved;

4W) APPROVAL OF REVISED LEGAL SERVICES AGREEMENT WITH CHRISTIANA DARLINGTON, IN AN AMOUNT NOT TO EXCEED \$40,500, FOR SEPARATE LEGAL REPRESENTATION FOR THE AIR QUALITY MANAGEMENT DISTRICT EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED THROUGH JUNE 30, 2020 - SPONSOR: AIR QUALITY MANAGEMENT DISTRICT

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-182

4X) APPROVAL OF A MASTER AGREEMENT FOR TAXING ENTITY COMPENSATION TO ALLOW PROPERTIES LISTED IN THE AGREEMENT TO BE SOLD AND/OR CONVEYED AS OUTLINED IN THE UKIAH SUCCESSOR AGENCY TO THE UKIAH REDEVELOPMENT AGENCY'S LONG RANGE MANAGEMENT PLAN, EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED UNTIL NET UNRESTRICTED PROCEEDS FROM SALE OF LAST SITES HAS BEEN PAID TO COUNTY AUDITOR CONTROLLER - SPONSOR:

Approved and Chair is authorized to sign same.

Enactment No: Agreement *19-183

5A) DISCUSSION AND POSSIBLE ACTION REGARDING INFORMATIONAL PRESENTATION ON IN-HOME SUPPORTIVE SERVICES PROVIDERS - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Bekkie Emery, Assistant Director, Health and Human Services Agency; Ms. Kelsey Rivera, Deputy Director Adult and Aging Services, Health and Human Services Agency; and Ms. Heidi Dunham, Director, Human Resources.

Public Comment: Mr. Raul Gardea; Ms. Sheila Dawn Tracy; and Ms. Debra Bryant.

Board Directive: BY ORDER OF THE CHAIR future IHSS presentation shall include information on state level budgetary information.

Board Action: No action taken.

6A) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION IN SUPPORT OF THE GREAT REDWOOD TRAIL - SPONSORS: SUPERVISOR McCOWEN AND SUPERVISOR HASCHAK

Presenter/s: Supervisor McCowen; and Supervisor Haschak.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors adopts Resolution in support of the Great Redwood Trail; authorizes Chair to sign same; and directs Clerk of the Board to trasmit to Senator McGuire's office. The motion carried by the following vote:

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

No: o - None

Absent: o - None

Enactment No: Resolution 19-206

RESOLUTION 19-206

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SUPPORTING THE CREATION OF THE GREAT REDWOOD TRAIL

5B) TRANSPORTATION DIRECTOR'S REPORT - SPONSOR: TRANSPORTATION

Presenter/s: Mr. Howard Dashiell, Director, Transportation.

Public Comment: None.

Board Action: No action taken.

6B) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION CREATING THE MENDOCINO COUNTY CLIMATE ACTION ADVISORY COMMITTEE - SPONSORS: CLIMATE ACTION COMMITTEE AD HOC (SUPERVISORS McCowen and Williams) and County Counsel

Presenter/s: Supervisor McCowen; and Supervisor Williams.

Public Comment: Ms Ellen Drell; Mr. John Mayfield; and Ms. Megan Watson.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors adopts Resolution creating the Mendocino County Climate Action Advisory Committee; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 - Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 1 - Supervisor Brown

Absent: o - None

Enactment No: Resolution 19-207

RESOLUTION 19-207

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS CREATING THE MENDOCINO COUNTY CLIMATE ACTION ADVISORY COMMITTEE

ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 10:47 A.M.

- 9A) 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
- 9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: PROPERTY APN: 002-340-44 00; 631 S. ORCHARD AVENUE, UKIAH, CALIFORNIA; AGENCY NEGOTIATORS: CARMEL J. ANGELO AND JANELLE RAU. OTHERS INVOLVED: TAMMY MOSS CHANDLER. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS OF PAYMENT
- 9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: PROPERTY APN: 163-140-14; 8207 EAST ROAD, REDWOOD VALLEY, CALIFORNIA; AGENCY NEGOTIATORS: CARMEL J. ANGELO AND JANELLE RAU. OTHER PARTIES: SHERIFF THOMAS D. ALLMAN. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS OF PAYMENT
- 9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9C CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION: ONE CASE
- 9E) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: 1 CASE KEEP THE CODE, INC. V. COUNTY OF MENDOCINO, MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCUK-CVPT-12-60196
- 9F) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: 1 CASE KEEP THE CODE, INC. V. COUNTY OF MENDOCINO, MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCUK-CVPT-14-64207
- 9G) PURSUANT TO GOVERNMENT CODE SECTION 54956.9D(2) CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION ONE CASE

RECONVENED IN OPEN SESSION: 1:33 P.M.

AGENDA ITEM NO. 9 - REPORT OUT OF CLOSED SESSION

Presenter: Chair Brown.

Board Action: In respect to agenda items 9a) through 9g), direction was given to staff.

COUNTY COUNSEL ABSENT 1:36 P.M.- 1:38 P.M.

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION BY PACIFIC GAS AND ELECTRIC (PG&E) REGARDING THE NEW SAFETY INITIATIVE, PUBLIC SAFETY POWER SHUTOFF (PSPS) PROGRAM AND AN UPDATE REGARDING THE COUNTY'S ASSOCIATED PREPARATION - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel Angelo, Chief Executive Officer, Executive Office; Mr. Nash Gonzalez, Director Fire Recovery Services, Executive Office; Ms. Darcie Antle, Deputy Chief Executive Officer, Executive Office; Ms. Alison Talbot, Governmental Relations Liasion, PG&E; and Mr. Matt Pender, Director Community Wildfire Safety Program, PG&E.

Public Comment: Ms. Lynn Silva; Ms. Jen Banks; Ms. Marsha Liebermann; Ms. Dolly Riley; Mr. Crispin Hollinshead; Mr. Tom Montesonti; Ms. Jini Reynolds; Ms. Ellen Drell; and Ms. Cynthia Raiser Jeavons.

Board Action: No action taken.

6C) SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST - SPONSOR: BOARD OF SUPERVISORS

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:11 P.M.

Attest:

LINDSEY DUNHAM

Deputy Clerk of the Board

CARRE BROWN Chair

Attest: KARLA VAN HAGEN

Senior Deputy Clerk of the Board

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