

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Vice-Chair

TOM WOODHOUSE
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor
Chair

DAN HAMBURG
5th District
Supervisor



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

KATHARINE L. ELLIOTT
County Counsel

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CENTER**
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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES October 4, 2016

**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 9:03 A.M.)

Present: Supervisor Carre Brown, Supervisor John McCowen, Chair Dan Gjerde, and Supervisor Dan Hamburg. Supervisor Tom Woodhouse, absent. Chair Gjerde presiding.

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

Pledge of Allegiance: Ms. Rosanna Ibarra.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Rosanna Ibarra; and Ms. Jacqueline Williams.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried (4/1, with Supervisor Woodhouse absent) IT IS ORDERED that consent items 4(a) – 4(k); 4(m) – 4(t); and 4(v) – 4(aa) are approved/rejected as follows. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Chair Gjerde, and Supervisor Hamburg

Absent: 1 - Supervisor Woodhouse

4A) CLAIM OF MARGARET WARD

Rejected;

4B) CLAIM OF NICK KIRBY

Rejected;

4C) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Tammy Moss Chandler, First 5 Mendocino, County Representative.

Approved;

4D) JULY 18, 2016 REGULAR BOARD MEETING

Approved;

4E) JULY 19, 2016 REGULAR BOARD MEETING

Approved;

4F) AUGUST 2, 2016 REGULAR BOARD MEETING

Approved;

4G) AUGUST 16, 2016 REGULAR BOARD MEETING

Approved

4H) AUGUST 30, 2016 SPECIAL BOARD MEETING

Approved;

4I) ADOPTION OF PROCLAMATION RECOGNIZING OCTOBER 16-22, 2016, AS FREEDOM FROM WORKPLACE BULLIES WEEK IN MENDOCINO COUNTY – SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

4J) REAFFIRMATION OF A DECLARATION OF EMERGENCY PURSUANT TO MCC SEC. 2.32.040 AND PUBLIC CONTRACT CODE SECTION 22050 DUE TO DAMAGE TO A COUNTY OWNED FACILITY LOCATED AT 737 S. STATE ST., UKIAH CAUSED BY FLOODING – SPONSOR: EXECUTIVE OFFICE

Approved;

- 4K) ADOPTION OF ORDINANCE AMENDING SECTION 7.04.110 OF MENDOCINO COUNTY ORDINANCE, TITLE 7, ENTITLED “EMERGENCY ORGANIZATION AND FUNCTIONS” – SPONSOR: SHERIFF-CORONER**

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4366

- 4M) APPROVAL TO CLEAR REFERRALS FROM THE PUBLIC RESOURCES COMMITTEE AS FOLLOWS: “REFERRAL TO DISCUSS AND RECOMMEND 2016 COMMITTEE MEETING SCHEDULE” AND “REFERRAL REGARDING REPORT FROM SUPERVISOR HAMBURG ON THE SONOMA CLEAN POWER BOARD MEETING ON 2/4/16” – SPONSOR: BOARD OF SUPERVISORS**

Approved;

- 4N) APPROVAL TO CLEAR “REFERRAL TO DISCUSS AND RECOMMEND 2016 COMMITTEE MEETING SCHEDULE” FROM THE CRIMINAL JUSTICE COMMITTEE – SPONSOR: BOARD OF SUPERVISORS**

Approved;

- 4O) APPROVAL TO CLEAR REFERRALS FROM THE GENERAL GOVERNMENT COMMITTEE AS FOLLOWS: “REFERRAL TO DISCUSS AND RECOMMEND 2016 COMMITTEE MEETING SCHEDULE”, “REFERRAL REGARDING POLICY RELATED TO FORMATION OF MUNICIPAL ADVISORY COMMITTEES”, “REFERRAL REGARDING RANCH FOR WILDLIFE PROGRAM AND REGULATIONS REGARDING ELK HUNTING” AND “REFERRAL REGARDING CANNABIS TAXATION” – SPONSOR: BOARD OF SUPERVISORS**

Approved;

- 4P) APPROVAL TO CLEAR REFERRALS FROM THE HEALTH AND HUMAN SERVICES COMMITTEE AS FOLLOWS: “REFERRAL TO DISCUSS AND RECOMMEND 2016 COMMITTEE MEETING SCHEDULE”, “REFERRAL REGARDING THE MENDOCINO COUNTY ANIMAL SHELTER”, “REFERRAL REGARDING SETTING A DATE FOR SPECIAL BOS MEETING TO RECEIVE KEMPER REPORT” AND “REFERRAL ENVIRONMENTAL HEALTH DEPARTMENT’S LOCAL AGENCY MANAGEMENT PLAN (LAMP)” – SPONSOR: BOARD OF SUPERVISORS**

Approved;

- 4Q) APPROVAL OF LETTER TO THE MENDOCINO COUNTY FILM OFFICE DESIGNATING THE MENDOCINO COAST CHAMBER OF COMMERCE AS THE COUNTY OF MENDOCINO’S OFFICIAL FILM COMMISSION - SPONSORS: SUPERVISORS GJERDE AND HAMBURG**

Approved;

- 4R) APPROVAL OF AGREEMENT WITH FORD STREET PROJECT IN THE AMOUNT OF \$115,275 TO PROVIDE FOR THE PROVISION OF THE FOOD BANK, COMMUNITY RESOURCE SERVICES, AND HOMELESS SHELTER SERVICES IN UKIAH FOR FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-085

- 4S) APPROVAL OF AGREEMENT WITH REDWOOD COMMUNITY CRISIS CENTER IN THE AMOUNT OF \$62,489 TO PROVIDE 24/7 CRISIS RESPONSE AND OUTREACH AND ENGAGEMENT SERVICES FOR CHILDREN, YOUTH AND YOUNG ADULTS FOR FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-086

- 4T) RATIFICATION AND APPROVAL OF SUBMISSION OF GRANT PROPOSAL TO THE COUNTY MEDICAL SERVICES PROGRAM (CMSP) FOR A WELLNESS AND PREVENTION PILOT PROJECT TO PROVIDE LOCAL-LEVEL WELLNESS AND PREVENTION SERVICES TO CMSP ELIGIBLE PERSONS IN THE TOTAL GRANT AMOUNT OF \$225,000.00 WITH A TOTAL COUNTY MATCH OF \$16,630.30 FOR FISCAL YEARS 2016-19 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY**

Approved;

- 4V) APPROVAL OF AMENDMENTS TO MENDOCINO COUNTY POLICY NO. 10, "EQUAL EMPLOYMENT OPPORTUNITY" TO CONFORM TO CURRENT STATUTORY AND REGULATORY REQUIREMENTS AND CALIFORNIA STATE LAW - SPONSOR: HUMAN RESOURCES**

Approved;

- 4W) APPROVAL OF AMENDMENTS TO MENDOCINO COUNTY POLICY NO. 23, "SEXUAL HARASSMENT", INCLUDING RENAMING THE POLICY "HARASSMENT" - SPONSOR: HUMAN RESOURCES**

Approved;

- 4X) ADOPTION OF RESOLUTION AUTHORIZING SALARY GRADE ADJUSTMENT TO REGISTERED VETERINARY TECHNICIAN FROM SALARY GRADE S28B TO SALARY GRADE S29D - SPONSOR: HUMAN RESOURCES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 16-125

- 4Y) ADOPTION OF RESOLUTION AUTHORIZING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: HEALTH AND HUMAN SERVICES AGENCY, BUDGET UNIT 4010 - DELETE ONE (1) FULL-TIME EQUIVALENT (FTE) DEPARTMENT ANALYST II; AGRICULTURE DEPARTMENT, BUDGET UNIT 2710 - ADD ONE (1) FTE ASSISTANT AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES – SPONSOR: HUMAN RESOURCES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 16-126

- 4Z) ACCEPTANCE OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT NO. EM_2016-0004 (WILSON) AUTHORIZING EMERGENCY WORK TO RESTORE PETROLEUM CONTAMINATED AREAS IN GUALALA - SPONSOR: PLANNING AND BUILDING SERVICES**

Approved;

4AA) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 160082 IN THE AMOUNT OF \$3,000, WITH AND ACCEPTING THE GRANT DEED CONVEYING REAL PROPERTY FROM STANLEY J. CZYZEWSKI, JR., FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF THE ROWES CREEK BRIDGE REPLACEMENT ON SHERWOOD ROAD, PROJECT NUMBER B-1002, LOCATED ON SHERWOOD ROAD, COUNTY ROAD 311, MILEPOST 5.20 (WILLITS AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 16-127, Agreement No. 16-087

4AB) APPROVAL OF AMENDMENT TO AGREEMENT NO. 16-045 WITH LACO ASSOCIATES IN THE AMOUNT OF \$198,975, FOR A NEW TOTAL AGREEMENT AMOUNT OF \$574,801 FOR FISCAL YEARS 2016-2019, TO PROVIDE SERVICES FOR THE DEVELOPMENT OF THE COASTAL MENDOCINO COUNTY STORMWATER RESOURCE PLAN – SPONSOR: WATER AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-045-A1

~~**4U) RATIFICATION OF SUBMISSION OF APPLICATION FOR FUNDS AVAILABLE FROM NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS FOR UP TO \$15,000 FOR FEDERAL FISCAL YEARS (FFY) 2016-17; AND AUTHORIZATION FOR HEALTH AND HUMAN SERVICES AGENCY DIRECTOR TO SIGN AGREEMENT ON BEHALF OF THE BOARD IF FUNDING IS GRANTED – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY – WITHDRAWN AT THE REQUEST OF THE DEPARTMENT**~~

AGENDA ITEM NO. 4 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:

4L) ACCEPTANCE OF UPDATE ON THE DRAFT MEDICAL CANNABIS CULTIVATION ORDINANCE, DRAFT MEDICAL CANNABIS CULTIVATION SITE ZONING REGULATION AND CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PROJECT DESCRIPTION AND INITIAL STUDY – SPONSOR: AGRICULTURE

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried 3/1/1, IT IS ORDERED that consent item 4(l) is approved. The motion carried by the following vote:

Aye: 4 - Supervisor Brown, Supervisor McCowen, Chair Gjerde

Abstain: 1 - Supervisor Hamburg

Absent: 1 - Supervisor Woodhouse

5C) DISCUSSION AND POSSIBLE ACTION REGARDING A PRESENTATION ON THE 2016-2017 EMERGENCY WINTER SHELTERS, INCLUDING POSSIBLE SUPPORT AND DIRECTION ON FUNDING AS SUBMITTED BY THE HEALTH AND HUMAN SERVICES AGENCY, ADULT AND AGING SERVICES IN COLLABORATION WITH THE HOMELESS SERVICES ACTION GROUP - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s Ms. Bekkie Emery, Deputy Director, Health and Human Services Agency; Ms. Maya Stuart, Program Administrator, Health and Human Services Agency; Ms. Anne Molgaard, Chief Operational Officer, Health and Human Services Agency; and Ms. Tammy Moss Chandler, Director, Health and Human Services Agency.

Public Comment: Ms. Camille Schraeder; Mr. Aeolian Vincent DePaule; Ms. Anna Shaw; Ms. Sharon Govern; Mr. Thomas Allman, Sheriff; Ms. Libby Guthrie; and Mr. Terry Moyer.

Board Action: GENERAL CONSENSUS OF THE BOARD that Health and Human Services Agency staff shall prepare a consent calendar agenda item for the winter shelter funding requests (which should include parameters for which funds will be disbursed) for the October 18, 2106, Board of Supervisors meeting.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION (continued)

Presenter/s: Ms. Mary Jane Montana, Interim Director, Animal Care Services.

5D) INFORMATIONAL UPDATE ON THE STATUS OF THE MENDOCINO TOWN LOCAL COASTAL PLAN AMENDMENT (LCPA) AND POSSIBLE DIRECTION OR CONSIDERATION OF COASTAL COMMISSION COMMENTS REGARDING THE SUBMITTED MENDOCINO TOWN LCPA - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Andy Gustavson, Chief Planner, Planning and Building Services.

Public Comment: None.

Board Action: No action taken.

5E) TRANSPORTATION DIRECTOR'S REPORT

Board Action: No action taken.

BOARD RECESS: 10:05 A.M. – 10:12 A.M.

5A) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE

Board Action: No action taken.

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

Board Action: No action taken.

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

Presenter/s: Board of Supervisors.

ADJOURNED TO CLOSED SESSION: 10:50 A.M.

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

9B) PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – COUNTY COUNSEL

RECONVENED IN OPEN SESSION: 1:54 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter/s: Chair Gjerde.

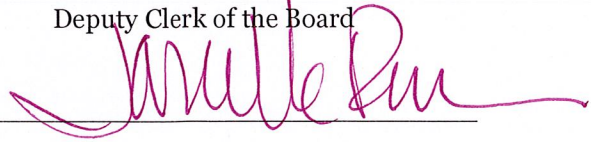
Board Action: In respect to items 9(a), the item was withdrawn. In respect to item 9(b), the Board concluded the performance evaluation.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 1: 55 P.M.



DAN GJERDE, Chair

Attest: KARLA VAN HAGEN
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) 3463-4441.
- 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.co.mendocino.ca.us/bos
- 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.co.mendocino.ca.us/bos

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