

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Chair

VACANT
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

DAN HAMBURG
5th District
Supervisor
Vice-Chair



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

KATHARINE L. ELLIOTT
County Counsel

COUNTY ADMINISTRATION CENTER
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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –February 7, 2017

**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 9:01A.M.)

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

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

The Pledge of Allegiance was led by: Ms. Carole Hester

AGENDA ITEM NO. 8 –MODIFICATIONS TO THE AGENDA

Presenter/s: Chair McCowen announced the following modification to the agenda:

- 8a) Discussion and Possible Action Regarding Possible Closure of Westport Buy Back Center and Westport Transfer Station Including Possible Amendments to the Solid Waste of Willits (SWOW) - Mendocino Solid Waste Franchise Area 1 Contract

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Rich Molinari; Mr. Dennis Thygessen; Mr. Louis Bigfoot; Ms. Danielle Bradley; and Mr. Chris Borden.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair McCowen.

Public Comment: None.

Board Directive: Consent Calendar item 4(b) removed for separate consideration of appointment of the Mendocino County Business Improvement District (all other appointments remain on Consent Calendar) and Consent Calendar item 4(o) removed for separate consideration.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Gjerde, IT IS ORDERED THAT CONSENT ITEMS 4(a), 4(b) (all appointments not removed for separate consideration), 4(c) – 4(n) and 4(p) – 4(q); are approved as follows:

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

No: 0 - None

4A) CLAIM OF MARY LEVISON

Rejected;

4B) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS - SPONSOR: EXECUTIVE OFFICE

Approve the following appointments/reappointments:

1. Saprina Rodriguez, Museum Advisory Board, City of Willits Representative;
2. Patricia Guntly, Civil Service Commission, 1st District Representative;

4C) RATIFICATION OF LETTER TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION SENT BY THE UTILITY REFORM NETWORK (TURN) ON BEHALF OF MENDOCINO COUNTY OPPOSING MULTIPLE CARRIERS' REQUESTS FOR EXTENSION OF TIME FOR COMPLIANCE WITH DECISION 16 12 066 - SPONSOR: SUPERVISOR HAMBURG

Approved;

4D) APPROVAL OF LETTER TO GOVERNOR JERRY BROWN SUPPORTING THE MENDOCINO COUNTY CITY SELECTION COMMITTEE'S NOMINATION OF FORT BRAGG MAYOR LINDY PETERS TO A NORTH COAST REPRESENTATIVE SEAT ON THE CALIFORNIA COASTAL COMMISSION - SPONSOR: SUPERVISOR GJERDE

Approved and Chair is authorized to sign same;

4E) APPROVAL OF THE FORMATION OF AN AD HOC COMMITTEE TO REVIEW AND NEGOTIATE AMENDMENTS TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF MENDOCINO, REDWOOD VALLEY/CALPELIA FIRE PROTECTION DISTRICT AND THE COYOTE VALLEY BAND OF POMO INDIANS CONCERNING MITIGATION OF OFF RESERVATION IMPACTS RESULTING FROM THE TRIBE'S CASINO EXPANSION AND HOTEL PROJECT DATED OCTOBER 16, 2007 AND AS AMENDED BY LETTER AGREEMENT DATED JUNE 7, 2012 - SPONSOR: EXECUTIVE OFFICE

Approved;

4F) APPROVAL OF CHANGE ORDER NO. 2 TO BOARD OF SUPERVISORS AGREEMENT NO. 16 001 WITH INTERACTIVE RESOURCES IN THE AMOUNT OF \$73,420 FOR A TOTAL REVISED AGREEMENT AMOUNT OF \$275,200 AND AN EXTENSION OF THE CONTRACT TERM THROUGH DECEMBER 31, 2017, FOR ADDITIONAL DESIGN AND ENGINEERING SERVICES FOR ROOF AND HVAC EQUIPMENT REPLACEMENT PROJECTS FOR THE COUNTY ADMINISTRATION CENTER AND THE PUBLIC HEALTH/MENTAL HEALTH BUILDINGS - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-001-A2

4G) APPROVAL OF AMENDMENT NO. 2 TO AGREEMENT NO. 16 029 WITH VISION TECHNOLOGY SOLUTIONS, LLC, IN THE AMOUNT OF \$4,000, FOR A NEW NOT TO EXCEED AMOUNT OF \$86,535, FOR AN ADDITIONAL 300 PAGES OF CONTENT MIGRATION TO MODERNIZE AND ENHANCE MENDOCINO COUNTY'S WEBSITE - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-029-A2

4H) AUTHORIZATION TO ACQUIRE REPLACEMENT VEHICLES FOR THE SHERIFF'S OFFICE AND DEPARTMENT OF TRANSPORTATION (FIXED ASSETS) DUE TO VEHICLE COLLISIONS AND THEFT, INCLUDING APPROVAL OF INSURANCE REIMBURSABLE APPROPRIATIONS ADJUSTMENTS IN THE AMOUNT OF \$139,013.74 AS FOLLOWS: APPROPRIATION AND REVENUE INCREASE IN THE SHERIFF'S OFFICE BUDGET UNIT 2310, LINE ITEMS 864370 AND 827802 IN THE AMOUNT OF \$96,297.74 AND APPROPRIATION AND REVENUE INCREASE IN THE TRANSPORTATION BUDGET UNIT 3010, LINE ITEMS 864370 AND 827802 IN THE AMOUNT OF \$42,716; AND ADD THE VEHICLES TO THE LIST OF FIXED ASSETS - SPONSOR: EXECUTIVE OFFICE

Approved;

4I) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE LAYTONVILLE UNITED SCHOOL 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 17-013

4J) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE LEGGETT VALLEY UNITED SCHOOL 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 17-014

4K) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE MENDOCINO LAKE COMMUNITY COLLEGE 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 17-015

4L) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE POTTER VALLEY COMMUNITY UNITED SCHOOL 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 17-016

4M) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE UKIAH UNIFIED SCHOOL 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 17-017

4N) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE WILLITS UNIFIED SCHOOL 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 17-018

4P) APPROVE PROFESSIONAL SERVICES CONTRACT WITH TAYLOR CODE CONSULTING, INC., IN AN AMOUNT NOT TO EXCEED \$150,000 FOR TECHNICAL EXPERTISE AND THE APPLICATION AND IMPLEMENTATION OF POLICIES AND PROCEDURES DIRECTLY RELATED TO CODE ENFORCEMENT AND THE ENFORCEMENT OF COUNTY CODES AND REGULATIONS SPECIFIC TO ZONING, LAND USE AND HEALTH AND SAFETY - SPONSOR: PLANNING AND BUILDING SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-005

4Q) ACCEPTANCE OF THE DECEMBER 31, 2016 REPORT OF MENDOCINO COUNTY POOLED INVESTMENTS - SPONSOR: TREASURER-TAX COLLECTOR

Approved.

5A) PRESENTATION AND POSSIBLE ADOPTION OF RESOLUTION AUTHORIZING THE MENDOCINO COUNTY SHERIFF'S OFFICE TO SUBMIT A PROPOSAL FOR FUNDING THROUGH THE ADULT LOCAL CRIMINAL JUSTICE FACILITIES CONSTRUCTION FINANCING PROGRAM (SENATE BILL 844), TO THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC), FOR ADDITIONAL SPECIALTY HOUSING AND EXPANDED PROGRAM, TRAINING, AND MENTAL HEALTHCARE SPACE AT THE COUNTY JAIL - SPONSOR: SHERIFF-CORONER

Presenter/s: Mr. Randy Johnson, Undersheriff; Mr. Eric Fadness, Vice President, Nacht and Lewis; Mr. Lorenzo Lopez, Senior Planner, Nacht and Lewis; Mr. Tim Pearce, Captain, Sheriff-Coroner; and Mr. Alan D. Flora, Assistant Chief Executive Officer.

Public Comment: Ms. Camille Schraeder; and Mr. Ukiah Morrison.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors adopts Resolution authorizing the Mendocino County Sheriff's Office to submit a proposal for funding through the Adult Local Criminal Justice Facilities Construction Financing Program (Senate Bill 844), to the Board of State and Community Corrections (BSCC), for additional specialty housing and expanded program, training, and mental healthcare space at the County Jail, authorizing the Chair to sign same. The motion carried by the following vote:

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

No: 0 - None

Enactment No: Resolution 17-019

BOARD RECESS: 9:54 – 10:00 A.M.

4M) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE UKIAH UNIFIED SCHOOL 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 17-017

4N) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE WILLITS UNIFIED SCHOOL 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 17-018

4P) APPROVE PROFESSIONAL SERVICES CONTRACT WITH TAYLOR CODE CONSULTING, INC., IN AN AMOUNT NOT TO EXCEED \$150,000 FOR TECHNICAL EXPERTISE AND THE APPLICATION AND IMPLEMENTATION OF POLICIES AND PROCEDURES DIRECTLY RELATED TO CODE ENFORCEMENT AND THE ENFORCEMENT OF COUNTY CODES AND REGULATIONS SPECIFIC TO ZONING, LAND USE AND HEALTH AND SAFETY - SPONSOR: PLANNING AND BUILDING SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-005

4Q) ACCEPTANCE OF THE DECEMBER 31, 2016 REPORT OF MENDOCINO COUNTY POOLED INVESTMENTS - SPONSOR: TREASURER-TAX COLLECTOR

Approved.

5A) PRESENTATION AND POSSIBLE ADOPTION OF RESOLUTION AUTHORIZING THE MENDOCINO COUNTY SHERIFF'S OFFICE TO SUBMIT A PROPOSAL FOR FUNDING THROUGH THE ADULT LOCAL CRIMINAL JUSTICE FACILITIES CONSTRUCTION FINANCING PROGRAM (SENATE BILL 844), TO THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC), FOR ADDITIONAL SPECIALTY HOUSING AND EXPANDED PROGRAM, TRAINING, AND MENTAL HEALTHCARE SPACE AT THE COUNTY JAIL - SPONSOR: SHERIFF-CORONER

Presenter/s: Mr. Randy Johnson, Undersheriff; Mr. Eric Fadness, Vice President, Nacht and Lewis; Mr. Lorenzo Lopez, Senior Planner, Nacht and Lewis; Mr. Tim Pearce, Captain, Sheriff-Coroner; and Mr. Alan D. Flora, Assistant Chief Executive Officer.

Public Comment: Ms. Camille Schraeder; and Mr. Ukiah Morrison.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors adopts Resolution authorizing the Mendocino County Sheriff's Office to submit a proposal for funding through the Adult Local Criminal Justice Facilities Construction Financing Program (Senate Bill 844), to the Board of State and Community Corrections (BSCC), for additional specialty housing and expanded program, training, and mental healthcare space at the County Jail, authorizing the Chair to sign same. The motion carried by the following vote:

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

No: 0 - None

Enactment No: Resolution 17-019

BOARD RECESS: 9:54 – 10:00 A.M.

SUPERVISOR HAMBURG RECUSED HIMSELF FROM CONSIDERATION OF ITEM 5(B)

SUPERVISOR HAMBURG ABSENT AT 10:02 A.M.

5B) DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING PROPOSED RECOMMENDATIONS AND REVISIONS FROM THE PLANNING COMMISSION AND COUNTY STAFF TO THE DRAFT MEDICAL CULTIVATION ORDINANCE CHAPTER 10A.17, ZONING ORDINANCE CHAPTER 20.242, CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY AND THE WILLIAMSON ACT - SPONSOR: PLANNING AND BUILDING SERVICES AND AGRICULTURE

Presenter/s: Ms. Diane Curry, Interim Agricultural Commissioner; Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services; Ms. Beth Burks, Planning Manager, LACO Associates; and Mr. Matthew Kiedrowski, Deputy County Counsel.

Public Comment: Ms. Katrina Frey; Mr. Philip Gary; Ms. Marsha Little; Mr. Bob Frassinello; Ms. Donna Mecca; Mr. Casey O'Neill; Ms. Jane Futch; Ms. Candie Dickenson; Ms. Barbara McLean; Ms. Heidi McKeown; Ms. Misty Allenbaugh; Mr. Ed Busch; Ms. Carole Hester; Ms. Petra Buchanan; Mr. Paul Hansbury; Ms. Susan Tibbon; Ms. Cathy Monroe; Ms. Linda Gray; Mr. Vince Lechowick; Ms. Devon Jones; Mr. Park Steiner; Mr. David Drell; Ms. Ellen Drell; Ms. Sandra Berman; and Ms. Kate Marianchild.

Board Directive: The Board of Supervisors provided the following direction to staff:

- Support of mitigations to BIO-1, as outlined in 1(a) of the Planning Commission Resolution;
- Support of a community planning process that would create overlay zones;
- Support phasing out commercial cultivation in residential neighborhoods, but allowing a sunset period, and also allowing overlay zones to be created.

LUNCH RECESS: 12:01 - 1:31 P.M.

5B) DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING PROPOSED RECOMMENDATIONS AND REVISIONS FROM THE PLANNING COMMISSION AND COUNTY STAFF TO THE DRAFT MEDICAL CULTIVATION ORDINANCE CHAPTER 10A.17, ZONING ORDINANCE CHAPTER 20.242, CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) INITIAL STUDY AND THE WILLIAMSON ACT - SPONSOR: PLANNING AND BUILDING SERVICES AND AGRICULTURE (CONTINUED)

Presenter/s: Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services; Mr. Matthew Kiedrowski, Deputy County Counsel; Ms. Diane Curry, Interim Agricultural Commissioner; and Ms. Beth Burks, Planning Manager, LACO Associates.

Public Comment: Mr. Ron Edwards; Ms. Ashley Oldham; Mr. Swami Chaitanya; Mr. Hal Wagenet; Mr. Simon Evers; Ms. Jenn Gray; Ms. Hannah Nelson; Ms. Marie Meyers; Mr. Ukiah Morrison; Mr. Tom Rodrigues; Mr. Shane Osburn; Mr. Michael Adams; Ms. Kami Lennox; Ms. Johanna Mortz; Ms. Corinne Powell; Mr. Eric Collin; Mr. Peter Kaffin.

Board Directive: The Board of Supervisors provided the following direction to staff:

- Provide the Board of Supervisors with a definition of “canopy” and splitting between outdoor and indoor cultivation;
- Revise the term “manufacturer” in the Williamson Act policy and procedure; to allow for home processing of products grown on site;
- Provide language for the Board of Supervisors to consider regarding an application filing period of 90 days;
- Do not require a letter or sign off from other owners/partners in tenants in common situations;
- Parcels that were not recognized as legal parcels prior to January 1, 2016, would not be eligible for additional cultivation permits and would not receive a certificate of compliance;
- Support of 4(d) of Planning Commission Resolution;
- Support of 4(h) of Planning Commission Resolution;
- Strike 4(i) of Planning Commission Resolution.

BOARD RECESS: 3:26 - 3:40 P.M.

Public Comment: Mr. Casey O'Neill; and Ms. Ellen Drell.

Board Directive: The Board of Supervisors provided the following direction to staff:

- As it relates to 4(b) of the Planning Commission Resolution: do not require a dwelling unit on RR10 zoned parcels that have had an administrative permit issued; unless the RR10 parcel existed prior to January 1, 2016, no cultivation would be permitted;
- As it relates to 4(b) of the Planning Commission Resolution: do not allow an exception to parcels zoned as RR5;
- Support for 4(c) of the Planning Commission Resolution with the following provisions:
 - Clarification that creation of overlay zones is not limited to areas that have municipal advisory councils;
 - Allow two year sunset period for all residential cultivation, after which cultivation must cease in parcels zoned RR2, RR1, R1 R2, R3, Suburban Residential, Rural Community, non-conforming RR5, and parcels less than two acres;
 - No commercial indoor cultivation on parcels zoned RR2 and lower or on non-conforming RR5 parcels;
- Require all cannabis products labeled as made in Mendocino County meet sustainable/organic equivalent standards;
- Do not allow cultivation on parcels that would require a three acre conversion in order to accommodate cultivation with the clarification that parcels with preexisting, permitted cultivation would still be allowed a three acre conversion to accommodate non-cultivation related uses, such as building a home;
- Agriculture staff will develop a method of proof of cultivation that allows staff to verify the proof of cultivation but not retain it;
- Staff will develop materials, such as a pamphlet, checklist, or booklet to assist the public with the application process;
- Require conformance with track and trace standards be written into the Ordinance, rather than writing track and trace language in to the Ordinance; further directing staff to review requirements for applying unique identifiers to each plant versus plants located in a defined area, especially in indoor and mixed light cultivation;
- Staff will review the issue of removing the requirement of administrative permits for cottage level, outdoor and mixed light cultivation on AP parcels;
- Staff will present language to the Board of Supervisors similar to language contained in the Mendocino Town Plan making permits non-transferrable with the exception that a permit may be transferrable to family members of the permit holder;
- Do not allow relocation of a permit for range land cultivation to a new range land parcel that does not have prior cultivation;
- Support to limit the ability of an individual to have a financial interest in no more than two parcels, regardless of whether the individual is leasing the parcel or applying for a permit themselves;
- Support to allow a collection of individual growers who combine together and sign as a collective would sign one lease with a landowner, that would still be consistent with the previous direction that a landowner could not have an interest in more than two applications; however, if there were a collective of three growers, it would only be one entity leasing the parcel.

SUPERVISOR HAMBURG PRESENT AT 5:14 P.M.

8A) DISCUSSION AND POSSIBLE ACTION REGARDING POSSIBLE CLOSURE OF WESTPORT BUY BACK CENTER AND WESTPORT TRANSFER STATION INCLUDING POSSIBLE AMENDMENTS TO THE SOLID WASTE OF WILLITS (SWOW) - MENDOCINO SOLID WASTE FRANCHISE AREA 1 CONTRACT - SPONSOR: BOARD OF SUPERVISORS

Presenter/s: Ms. Louisa Morris, General Manager, Mendocino Solid Waste Management Authority.

Public Comment: Mr. Robert Scott.

Board Action: Moved by Supervisor Gjerde, seconded by Supervisor Brown, that the Board of Supervisors directs staff to amend the agreement for Area 1 to state that Solid Waste of Willits would either operate the transfer station in Westport for two days a week, no less than six hours a day with on of those days being Saturday or agree to transfer the service area without protest and in a timely manner the exclusive right for curb side pickup and for the operation of the transfer station two days a week, no less than six hours a day with on of those days being Saturday. Motion withdrawn by maker and seconder of the motion.

Board Action: Moved by Supervisor Hamburg, seconded by Supervisor Gjerde, that the Board of Supervisors instructs Solid Waste of Willits to reopen the buyback centers in Westport and Gualala. The motion failed by the following vote:

Aye: 2 - Supervisor Gjerde and Supervisor Hamburg

No: 2 - Supervisor Brown and Chair McCowen

Board Directive: GENERAL CONSENSUS OF THE BOARD directing staff to explore options for reopening Westport transfer station and operating a south coast buyback center, and provide an update to the Board of Supervisors on February 14, 2017.

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

4B) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Supervisor McCowen; Ms. Nicole French, Deputy Clerk of the Board; and Ms. Katharine Elliott, County Counsel

Public Comment: Ms. Wendy Roberts; Ms. Jo Bradley; and Mr. Stuart Marcus.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors defers action on making new appointments to the Mendocino County Business Improvement District until at least March 31, 2017. The motion carried by the following vote:

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

No: 0 - None

40) ADOPTION OF RESOLUTION AUTHORIZING SALARY GRADE ADJUSTMENTS AND CHANGE TO THE POSITION ALLOCATION TABLE AS FOLLOWS: DEPUTY CHIEF EXECUTIVE OFFICER SALARY GRADE U42C TO SALARY GRADE U45A; ASSISTANT AUDITOR CONTROLLER SALARY GRADE U42C TO SALARY GRADE U45A; AND CHIEF DEPUTY AUDITOR CONTROLLER SALARY GRADE U40C TO SALARY GRADE U42A - SPONSOR: HUMAN RESOURCES

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

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors adopts Resolution authorizing the salary grade adjustment and change to the Position Allocation Table the classifications of Deputy Chief Executive Officer, Assistant Auditor Controller, and Chief Deputy Auditor Controller as submitted and; authorizes the Chair to sign same. The motion carried by the following vote:

Aye: 3 - Supervisor Brown, Chair McCowen, and Supervisor Hamburg

No: 1 - Supervisor Gjerde

5C) 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 ITEM WITHDRAWN

5D) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE ITEM WITHDRAWN

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

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

Presenter/s: Board of Supervisors

Board Directive: BY ORDER OF THE CHAIR referral of the following matters to the Public Health, Safety, and Resources Committee and further direction to Supervisor Hamburg to work with staff to develop the following referrals: 1) Referral regarding boundary discrepancies between ambulance service areas and the fire district providers; 2) Referral regarding update on County Agreement with each fire district for funding; 3) Referral regarding new EMS Ordinance and the potential elimination of fire as a designated recipient of fee revenues; 4) Referral regarding Coastal Valleys EMS/Health and Human Services Agency adoption of policies/procedures which may have cost consequences for each first responder agency.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Ed Nieves.

ADJOURNED TO CLOSED SESSION: 6:12 P.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: LINDA MORALES, ET AL. V. COUNTY OF MENDOCINO, ET AL. MENDOCINO COUNTY SUPERIOR COURT CASE NO. 16 CV 02429 EMC

9B) 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 ITEM WITHDRAWN

RECONVENED IN OPEN SESSION: 6:28 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair McCowen.

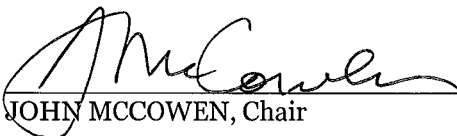
Board Action: Direction was given t staff in the matter of item 9(a).

AGENDA ITEM NO. 10 – COMMUNICATIONS

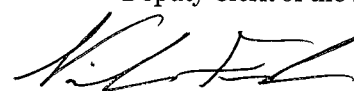
- (a) Fish and Game Commission Notice of Proposed Regulatory Action Relative to Subsection (b)(91.1) of Section 7.50, Title 14, California Code of Regulations, Relating to Lower Klamath River Basin Sport Fishing, which will be Published in the California Regulatory Notice Register on December 30, 2016 (for more information please go to www.fgc.ca.gov)
- (b) Notices Published in the California Notice Register on December 23, 2016/Register 2016, No. 52-Z (for more information please go to www.fgc.ca.gov)
- (c) State Water Resources Board- Notice of Application A032324- Grist Creek Aggregates, LLC (Applicant) Filed and Application on January 5, 2015, to Appropriate Water by Permit (for more information please go to www.waterboards.ca.gov)
- (d) Fish and Game Commission- Notice of Receipt of Petition to list Foothill Yellow-Legged Frog (*Rana boylii*) as Threatened under the California Endangered Species Act (for more information please go to www.fgc.ca.gov)
- (e) Fish and Game Commission- Notice of Proposed Regulatory Action Relative to Subsection (b)(5) of Section 7.50, Title 14, California Code of Regulations, Relating to Central Valley Salmon Sport Fishing, which will be Published in the California Regulatory Notice Register on January 20, 2017 (for more information please go to www.fgc.ca.gov)

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 6:29 P.M.

Attest: Nicole French
Deputy Clerk of the Board II



JOHN MCCOWEN, 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) 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

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