

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Chair

GEORGEANNE
CROSKEY
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
501 Low Gap Road, Room 1070
Ukiah, CA 95482
(707) 463-4441 (t)
(707) 463-5649 (f)
cob@mendocinocounty.org

MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –December 19, 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 9:01 A.M.)

Present: Supervisor Carre Brown, Chair John McCowen, Supervisor Georgeanne Croskey, 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. Karla Van Hagen, Senior Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Mr. Tim Pearce.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Michael Bailey; Mr. Patrick Higgins; Mr. Louis Bigfoot; Mr. Patrick Sullivan; Mr. Leonard Winter; and Mr. Lee Howard.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair McCowen.

Public Comment: None.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Croskey, IT IS ORDERED that consent calendar items 4(a) – 4(z) and 4(ab) – 4(ae) are rejected/approved as follows. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

4A) CLAIM OF MIKE MERTLE

Rejected;

4B) CLAIM OF KELLEY A. COAN

Rejected;

4C) CLAIM OF GEICE-LAWRENCE RILEY

Rejected;

4D) CLAIM OF KELLY WOODY POIRIER (MATTHEW MCCOY, DECEASED)

Rejected;

4E) CLAIM OF ESTATE OF MATTHEW MCCOY, DECEASED, THROUGH KELLY WOODY POIRIER AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF MATTHEW MCCOY

Rejected;

4F) APPROVAL OF THE FOLLOWING APPOINTMENTS/REAPPOINTMENTS

Approved;

1. Mr. Charles Ivor, Gualala Municipal Advisory Committee, Member;
2. Mr. Terry Elmer, Potter Valley Cemetery District, Member;
3. Mr. David C. Vallero, Covelo Community Services District, Director;
4. Ms. Jerilyn Harris, Mendocino County Employees' Retirement Association, General Member; and
5. Mr. Dan Gjerde, Mendocino County Employees' Retirement Association, Elector Member.

4G) APPROVAL OF MENDOCINO COUNTY'S CERTIFICATION OF THE NOVEMBER 7, 2017, CONSOLIDATED DISTRICTS ELECTION - SPONSOR: ASSESSOR/CLERK-RECORDER

Approved;

4H) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE UKIAH VALLEY FIRE 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 17-191

RESOLUTION 17-191

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF UKIAH VALLEY FIRE DISTRICT WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER DURING EVEN-NUMBERED YEARS

- 4I) ADOPTION OF RESOLUTION AUTHORIZING THE PURCHASING AGENT AND CHIEF EXECUTIVE OFFICER TO SIGN MEMORANDA OF AGREEMENT FOR MUTUAL AID IN DECLARED EMERGENCIES AND AUTHORIZING THE PURCHASING AGENT, CHIEF EXECUTIVE OFFICER AND SHERIFF TO SIGN MEMORANDA OF AGREEMENT FOR LAW ENFORCEMENT MUTUAL AID IN DECLARED EMERGENCIES - SPONSOR: COUNTY COUNSEL**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-192

RESOLUTION 17-192

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE PURCHASING AGENT TO SIGN MEMORANDA OF AGREEMENT FOR MUTUAL AID IN DECLARED EMERGENCIES AND AUTHORIZING THE PURCHASING AGENT AND SHERIFF TO SIGN MEMORANDA OF AGREEMENT FOR LAW ENFORCEMENT MUTUAL AID IN DECLARED EMERGENCIES

- 4J) ADOPTION OF RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTION AND USE TAX (RELATED TO THE MENTAL HEALTH TREATMENT ACT) - SPONSOR: COUNTY COUNSEL**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-193

RESOLUTION 17-193

A RESOLUTION OF THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX

- 4K) AUTHORIZATION TO RELEASE A COUNTY COUNSEL OPINION, PURSUANT TO THE REQUEST OF THE PUBLIC HEALTH, SAFETY AND RESOURCES STANDING COMMITTEE, ON THE ABILITY OF MENDOCINO COUNTY TO EXEMPT LIMITED DENSITY RURAL DWELLINGS (CLASS K) FROM OTHERWISE REQUIRED CALIFORNIA BUILDING CODE WILDLAND URBAN INTERFACE (WUI) AND FIRE SPRINKLER STANDARDS - SPONSOR: COUNTY COUNSEL**

Approved;

- 4L) APPROVAL OF PURCHASE OF A TYLER MANAGER SOFTWARE MODULE FOR ENHANCEMENTS TO THE MUNIS FINANCE SYSTEM SOFTWARE IN THE AMOUNT OF \$56,700; AND RELATED BUDGET TRANSFER OF \$56,700 FROM BUDGET UNIT 1960, INFORMATION SERVICES, LINE ITEM 864370 TO LINE ITEM 862239 - SPONSOR: EXECUTIVE OFFICE**

Approved;

- 4M) AUTHORIZATION TO AWARD A CONTRACT TO CWS CONSTRUCTION GROUP, INC. IN THE AMOUNT OF \$937,000.00 FOR THE MENDOCINO COUNTY PUBLIC HEALTH MENTAL HEALTH BUILDING HVAC AND ROOF REPLACEMENT PROJECT - PHASE 1 LOCATED AT 1120 SOUTH DORA STREET, UKIAH, CA AND AUTHORIZATION FOR CHAIR TO SIGN SAME; 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 17-149

4N) APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE COUNTY OF MENDOCINO PERTAINING TO ASSISTANCE PROVIDED UNDER THE EMERGENCY MANAGEMENT MUTUAL AID (EMMA) PLAN - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-150

4O) APPROVAL OF MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE COUNTY OF SAN DIEGO AND THE COUNTY OF MENDOCINO PERTAINING TO ASSISTANCE PROVIDED UNDER THE EMERGENCY MANAGEMENT MUTUAL AID (EMMA) PLAN - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-151

4P) 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 17-194

RESOLUTION 17-194

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

4Q) AUTHORIZATION TO AWARD A CONTRACT TO SWITHENBANK CONSTRUCTION, INC., IN THE AMOUNT OF \$235,736 FOR THE LITTLE RIVER AIRPORT TERMINAL BUILDING REMODEL PROJECT LOCATED AT 43001 LITTLE RIVER AIRPORT ROAD, LITTLE RIVER, CALIFORNIA; 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 17-152

4R) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COAST CLINICS IN THE AMOUNT OF \$60,000 TO PROVIDE SUPPORT, IMPLEMENTATION, AND PARTICIPANT SPECIFIC DATA TO THE COUNTY OF MENDOCINO'S WHOLE PERSON CARE PILOT PROJECT FOR THE TERM OF JULY 1, 2017, THROUGH DECEMBER 31, 2017 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-153

4S) APPROVAL OF MEMORANDUMS OF UNDERSTANDING (MOU) WITH (1) ANDERSON VALLEY COMMUNITY SERVICES DISTRICT AND (2) LONG VALLEY FIRE PROTECTION DISTRICT IN THE AMOUNT OF \$66,000 EACH, FOR A TOTAL COST OF \$132,000, FOR ADVANCED LIFE SUPPORT FUNDING TO ENHANCE AND/OR SUSTAIN EXISTING GROUND AMBULANCE SERVICES, PURSUANT TO PREVIOUS BOARD ALLOCATION - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment Nos: Agreement 17-154; 17-155

4T) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD QUALITY MANAGEMENT COMPANY FOR UP TO \$120,000 TO PROVIDE SUPPORT, IMPLEMENTATION, AND PARTICIPANT SPECIFIC DATA TO THE COUNTY OF MENDOCINO'S WHOLE PERSON CARE PILOT PROJECT FOR THE TERM OF JULY 1, 2017 THROUGH JUNE 30, 2018 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-156

4U) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES INC. (RCS) IN THE AMOUNT OF \$186,400 FOR THE TERM OF JULY 1, 2017, THROUGH JUNE 20, 2018, FOR HOUSING AND CASE MANAGEMENT FOR SPECIALTY MENTAL HEALTH SERVICES AT HAVEN HOUSE FOR BEHAVIORAL HEALTH AND RECOVERY SERVICES CLIENTS - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17- 157

4V) ADOPTION OF RESOLUTION REAFFIRMING THE EXISTENCE OF LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE LOCAL HEALTH OFFICER - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-195

RESOLUTION 17-195

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

4W) APPROVAL OF AMENDMENT TO PURCHASING AGENT AGREEMENT NUMBER 16 59 WITH VSP, EXTENDING THE TERMINATION DATE FROM DECEMBER 31, 2017 TO DECEMBER 31, 2018 FOR A FULLY INSURED VISION CARE PLAN AND INCREASING TOTAL COMPENSATION BY \$56,000 FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2018, FOR A THREE YEAR CONTRACT TOTAL OF \$152,000 - SPONSOR: HUMAN RESOURCES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-158

4X) APPROVAL OF AGREEMENT WITH HEALTH FITNESS CORPORATION IN THE AMOUNT OF \$110,000 TO PROVIDE WELLNESS AND PREVENTION RELATED SERVICES TO THE COUNTY'S WELLNESS PROGRAM FOR THE PERIOD OF JANUARY 1, 2018, THROUGH DECEMBER 31, 2018, FOR COUNTY EMPLOYEES AND THEIR ELIGIBLE DEPENDENTS - SPONSOR: HUMAN RESOURCES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-159

4Y) ADOPTION OF RESOLUTION AUTHORIZING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: PROBATION BUDGET UNIT 2560, ADD TWO (2) FTE SUPERVISING DEPUTY PROBATION OFFICERS; DELETE TWO (2) FTE DEPUTY PROBATION OFFICER II - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17 196

RESOLUTION 17-196

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

4Z) ADOPTION OF RESOLUTION AUTHORIZING THE ADOPTION OF THE CLASSIFICATION OF ASSISTANT COUNTY COUNSEL, AND CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: COUNTY COUNSEL, BUDGET UNIT 1210, ADD ONE (1) FTE ASSISTANT COUNTY COUNSEL; DELETE ONE (1) FTE CHIEF DEPUTY COUNTY COUNSEL - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-197

RESOLUTION 17-197

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

4AA) APPROVAL OF EXTENSION OF THE BUILDING PERMIT AMNESTY PROGRAM FROM DECEMBER 31, 2017 TO JUNE 30, 2018 - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4AC) ADOPTION OF A RESOLUTION ACCEPTING, ON BEHALF OF THE PUBLIC, AN AVIGATION EASEMENT FOR MINOR SUBDIVISION NO. MS 2015-0002 (SUNDSTROM), LOCATED AT 38701 OLD STAGE ROAD, GUALALA; APN 145 011 01; AND AUTHORIZE CHAIR TO SIGN SAME - SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-198

RESOLUTION 17-198

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ACCEPTING ON BEHALF OF THE PUBLIC AN AVIGATION EASEMENT ABOVE MINOR SUBDIVISION NUMBER 2015-0002 (SUNDSTROM), LOCATED AT 38701 OLD STAGE ROAD; APN 145-022-01 (GUALALA)

4AD) APPROVAL OF AGREEMENT WITH REBECCA CRAIG IN THE AMOUNT OF \$84,992 PER YEAR FOR A THREE YEAR TERM (FROM DECEMBER 19, 2017 - DECEMBER 18, 2020) FOR A TOTAL CONTRACT AMOUNT OF \$254,976 TO PROVIDE CONTRACT MANAGEMENT SERVICES FOR THE MENDOCINO COUNTY SHERIFF'S OFFICE (MCSO) - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-160

4AE) ADOPTION OF RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ADVERTISE FOR BIDS AND AWARD, FOR AN AMOUNT GREATER THAN PREVIOUSLY AUTHORIZED; PREVIOUSLY AUTHORIZED ESTIMATE OF \$516,000 INCREASED TO \$1,104,000, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 160078 TO CONSTRUCT THE LAYTONVILLE PEDESTRIAN BRIDGE OVER TEN MILE CREEK ON BRANSCOMB ROAD, COUNTY ROAD 429 (LAYTONVILLE AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-199

RESOLUTION 17-199

ADOPTION OF RESOLUTION AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO ADVERTISE FOR BIDS AND AWARD, FOR AN AMOUNT GREATER THAN PREVIOUSLY AUTHORIZED; PREVIOUSLY AUTHORIZED ESTIMATE OF \$516,000 INCREASED TO \$1,104,000, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 160078 TO CONSTRUCT THE LAYTONVILLE PEDESTRIAN BRIDGE OVER TEN MILE CREEK ON BRANSCOMB ROAD, COUNTY ROAD 429 (LAYTONVILLE AREA)

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

4AB) AUTHORIZATION OF THE ISSUANCE OF COASTAL DEVELOPMENT PERMIT CDP_2017 0005 (KAHN/KIRBY), FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENCE, GARAGE/OFFICE AND GUEST COTTAGE IN THE COASTAL ZONE, 0.6± MILES SOUTH OF THE TOWN OF LITTLE RIVER, EAST OF HIGHWAY 1, LOCATED AT 7419 STICKNEY RANCH ROAD, LITTLE RIVER (APN: 121 320 15) - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: Ms. Louise Hansen; and Mr. Robert Currey.

Board Directive: GENERAL CONSENSUS OF THE BOARD that this item is referred to the Coastal Commission.

5A) DISCUSSION AND POSSIBLE APPROVAL OF AGREEMENT WITH NACHT & LEWIS FOR ARCHITECTURAL SERVICES FOR THE SB 844 JAIL BUILDING PROJECT AS THE SUCCESSFUL APPLICANT OF THE REQUEST FOR QUALIFICATIONS (RFQ) 57 17 TITLED "ARCHITECTURAL/ENGINEERING SERVICES FOR THE MENDOCINO COUNTY JAIL REPLACEMENT SPECIAL NEEDS HOUSING UNIT AND VISITORS CENTER" IN THE AMOUNT OF \$2,910,000 FOR THE TERM OF DECEMBER 20, 2017, TO JUNE 30, 2021 - SPONSOR: SHERIFF-CORONER

Presenter/s: Mr. Thomas Allman, Sheriff.

Public Comment: Ms. Pamela Elizondo.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors approves Agreement with Nacht & Lewis for Architectural Services for the SB 844 Jail Building Project as the successful applicant of the RFQ 57 17 titled "Architectural/Engineering Services for the Mendocino County Jail Replacement Special Needs Housing Unit and Visitors Center" in the amount of \$2,910,000 for the term of December 20, 2017, to June 30, 2021; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde and Supervisor Hamburg

No: 0 – None

Enactment No: Agreement 17-161

5B) DISCUSSION AND POSSIBLE ACTION REGARDING BOARD AD HOC COMMITTEES INCLUDING DISBANDING AD HOC COMMITTEES THAT HAVE CONCLUDED BUSINESS PURSUANT TO BOARD OF SUPERVISORS RULES OF PROCEDURE RULE NO. 31 - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; and Chairman McCowen.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors accepts the status reports from ad hoc committee members pertaining to their respective committees, directing that the committees remain in "active" status, or directing that the referral has been concluded thereby disbanding the ad hoc committee(s) as follows. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 – None

Disband: Mendocino Town Local Coastal Plan Amendment; Sustainable Groundwater Management Act (SGMA); Solid Wastes of Willits Inc. Larger Rate Adjustment Request; Intergovernmental Agreement between the County of Mendocino, Redwood Valley/Calpella Fire Protection District.

Remain Active: Master Tax Sharing; Public, Educational and Governmental (PEG) Access Television; Local Coastal Plan Flood Plain and Accessory Dwelling; and Emergency Ingress/Egress as needed throughout the County.

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

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

Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD for staff to prepare an item for an upcoming Board of Supervisors meeting regarding an animal license amnesty program.

5D) PRESENTATION OF EMPLOYEE SERVICE AWARDS TO MENDOCINO COUNTY EMPLOYEES WITH 15-35 YEARS OF SERVICE - SPONSOR: HUMAN RESOURCES

Presenter/s: Ms. Heidi Dunham, Director, Human Resources.

Public Comment: Ms. Carol Kelsey; Ms. Cathy Harpe; Ms. Shari Schapmire; Mr. Rick Welsh; Ms. Barbara Howe; Mr. Wayne Briley; Ms. Bekkie Emery; Mr. Peter Schlichting; Ms. Karen Horner; Mr. Nash Gonzalez;; Mr. Thomas Allman; Mr. Greg Blake; and Mr. Howard Dashiell.

Board Action: No action taken.

BOARD RECESS: 10:51 A.M. - 11:13 A.M.

5C) DISCUSSION AND POSSIBLE ACTION REGARDING BOARD OF SUPERVISORS STANDING COMMITTEES INCLUDING 2017 FINAL REPORTS OUT OF COMMITTEE, APPROVAL TO CLEAR REFERRALS FROM COMMITTEE, POSSIBLE FORMATION OF AD HOC COMMITTEES, AND/OR POSSIBLE REFERRAL TO THE 2018 STANDING COMMITTEES - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; and Chairman McCowen.

Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD to appoint an ad hoc committee consisting of Supervisors Gjerde and Croskey to work on issues related to short term rental units and related restrictions.

Board Directive: GENERAL CONSENSUS OF THE BOARD for staff to distribute the Solid Waste report in respect to franchise fees as a source of road maintenance funds; with potentially a future agenda be presented to the Board with additional options for road repair.

Board Directive: GENERAL CONSENSUS OF THE BOARD that development of the 2018 Legislative Platform is referred to General Government Committee.

Board Directive: GENERAL CONSENSUS OF THE BOARD to appoint Supervisors Hamburg and McCowen to an ad hoc committee to work on issues related to the Little River Airport Land Management.

Board Directive: GENERAL CONSENSUS OF THE BOARD to appoint Supervisor McCowen and Supervisor Hamburg to an ad hoc committee to work on issues related to emergency medical services and possible recommendations to the Board of Supervisors.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors Report out of committee for each referred matter and clear each referral, form an ad hoc committee to further review the matter previously referred to committee, and/or refer a matter to a 2018 standing committee as follows. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 – None

General Government Committee: Clear GG1 – GG3; GG6 – GG10; and refer GG4 and GG5.

Public Health, Safety and Resources Committee: Clear all referrals.

5E) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE APPROVAL TO ESTABLISH SHORTER WILLIAMSON ACT CONTRACTS, EFFECTIVE IN CALENDAR YEAR 2018, PURSUANT TO STATE STATUTE, MAKING THE REQUISITE FINDING PURSUANT TO GOVERNMENT CODE SECTION 16142.1(D) - SPONSORS: ASSESSOR/CLERK-RECORDER AND AGRICULTURE

Presenter/s: Ms. Sue Ranochak, Assessor/Clerk-Recorder.

SUPERVISOR BROWN STATED A POTENTIAL CONFLICT OF INTEREST AND RECUSED HERSELF.

SUPERVISOR BROWN ABSENT 11:57 A.M.

Public Comment: Ms. Devon Jones; Mr. David Crowley; and Mr. Casey O'Neill.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Hamburg, IT IS ORDERED that the Board of Supervisors approves the establishment of shorter Williamson Act Contracts, effective in Calendar Year 2018, pursuant to State Statute, making the requisite finding pursuant to Government Code Section 16142.1(d), and direct staff to notify all affected landowners of final decision and the right to prevent the reduction in term by serving notice of non renewal. The motion carried by the following vote:

Aye: 4 - Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 – None

Recused: 1 - Supervisor Brown

SUPERVISOR BROWN PRESENT 12:10 P.M.

5F) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF THE DEPARTMENT OF PLANNING AND BUILDING SERVICES DEVELOPMENT ACTIVITY REPORT FOR THE MONTH OF NOVEMBER, 2017 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Adrienne Thompson, Administrative Services Manager, Planning and Building Services.

Public Comment: None.

Board Action: No action taken.

LUNCH RECESS: 12:22 P.M. - 1:36 P.M.

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

5I) DISCUSSION AND POSSIBLE ACTION REGARDING INFORMATIONAL UPDATE ON THE IMPLEMENTATION OF THE MENDOCINO COUNTY CANNABIS CULTIVATION PROGRAM AND CANNABIS COMPLIANCE AND CODE ENFORCEMENT UNIT - SPONSOR: AGRICULTURE

Presenter/s: Ms. Diane Curry, Interim Commission, Agriculture; Mr. Matthew Kiedrowski, Deputy County Counsel; Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services; Ms. Sarah Dukett, Senior Administrative Analyst, Executive Office; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: Mr. Ron Edwards; Ms. Jane Futchter; Mr. Joshua Keets; Mr. Scott Ward; Mr. Rick Soderlind; Ms. Hannah Nelson; Ms. Corinne Powell; and Mr. Casey O'Neill.

Board Directive: GENERAL CONSENSUS OF THE BOARD for Interim Agricultural Commissioner to present a report to the Board of Supervisors regarding the number of agricultural crops that were destroyed during the Redwood Complex Fire, including breakdown of conventional agriculture vs. permitted/unpermitted Cannabis.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the Board of Supervisors supports staff accepting applications from cultivators in sunset zones who may not be in compliance with the setback limitations, however, should they want to apply at their own risk, the County will accept their application and staff should process as far as they're able to - at the applicant's own discretion.

Board Directive: GENERAL CONSENSUS OF THE BOARD to support the allowance of multiple contiguous parcels under same ownership on one cultivation permit.

Board Directive: GENERAL CONSENSUS OF THE BOARD to support the allowance of mix and match of cultivation types under one permit under the current parameters.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall create an administrative permit process for an alternative to the 1,000 feet setback requirement.

BOARD RECESS 3:38 PM - 3:47 P.M.

5J) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING SECTION 16.08.015 OF CHAPTER 16.08 - ON SITE SEWAGE SYSTEMS TO EXEMPT CERTAIN STRUCTURES FROM THE SEWAGE SYSTEM REQUIREMENT - SPONSOR: ENVIRONMENTAL HEALTH

Presenter/s: Mr. Nash Gonzalez, Interim Director, Planning and Building Services; and Mr. Trey Strickland, Manager, Environmental Health

Public Comment: Mr. Casey O'Neill; Ms. Anna Purna; Ms. Hannah Nelson; and Mr. Scott Ward.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors introduces and waives first reading of an Ordinance amending Section 16.08.015 of Chapter 16.08 - On Site Sewage Systems to exempt certain structures from the sewage system requirement. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 - None

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

Public Comment: None.

Board Action: No action taken.

ADJOURNED TO CLOSED SESSION: 4:16 P.M.

- 9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9D(2) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – ONE CASE
- 9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: GRIST CREEK AGGREGATES, LLC V. MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT. MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUk CVPT 15-66620
- 9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: PEOPLE OF THE STATE OF CALIFORNIA, ET AL. V. GRIST CREEK AGGREGATES, LLC. MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUk-CVG 16-6731
- 9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: FRIENDS OF OUTLET CREEK V. MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT. MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUk CVG 16 67449
- 9E) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: FRIENDS OF OUTLET CREEK V. MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT. MENDOCINO COUNTY SUPERIOR COURT CASE No. A148508
- 9F) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: FRIENDS OF OUTLET CREEK V. COUNTY OF MENDOCINO. MENDOCINO COUNTY SUPERIOR COURT CASE No. A147499
- 9G) PURSUANT TO GOVERNMENT CODE SECTION 54956.9C – CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION: ONE CASE

THE MENDOCINO COUNTY BOARD OF SUPERVISORS MET CONCURRENTLY AS THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS IN CONSIDERATION OF AGENDA ITEMS 9B) – 9E)

RECONVENED IN OPEN SESSION: 4:35 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair McCowen.

Board Action: In respect to items 9a) The Board of Supervisors met in closed session and upon motion by Supervisor Hamburg, seconded by Supervisor Gjerde IT IS ORDERED that that Board of Supervisors authorizes County Counsel to engage litigation of one case upon certain conditions, when, and if the action is formally commenced, the title and nature of the action, the defendants and other particulars shall be disclosed to any person upon inquiry to the Clerk of the Board of Supervisors, unless to do so would jeopardize the County's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize the County's ability to conclude existing settlement negotiations to it's advantage. The motion carried by the following vote:

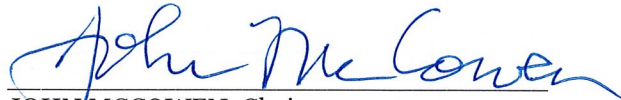
Aye: 4 – Supervisor Brown, Supervisor McCowen, Supervisor Gjerde and Supervisor Hamburg

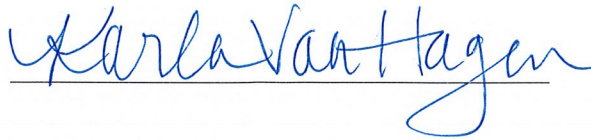
No: 1 – Supervisor Croskey

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

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:37 P.M.

Attest: KARLA VAN HAGEN
Senior Deputy Clerk of the Board


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) 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