

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 –March 12, 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 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. Karla Van Hagen, Senior Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Ms. Betty Hook.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Ann Katherine de la Quadra; and Ms. Katrina Bartolomie.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Brown.

Public Comment: None.

Board Directive: Consent Calendar item 4(g) removed for separate consideration.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Haschak, IT IS ORDERED that consent calendar items 4a) – 4f); and 8a) 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: 0 – None

Absent: 0 – None

4A) ADOPTION OF RESOLUTION DETERMINING THE VALUE OF HORSES IN THE POSSESSION OF THE COUNTY AND AUTHORIZING THE CHAIR TO SELL SAME - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 19-038

RESOLUTION 19-038

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DETERMINING THE VALUE OF HORSES IN THE POSSESSION OF THE COUNTY AND AUTHORIZING THE CHAIR TO SELL SAME

4B) APPROVAL OF RENTAL AGREEMENT BETWEEN THE MENDOCINO COUNTY FAIR AND APPLE SHOW (ASSOCIATION) AND SIERRA NEVADA WORLD MUSIC FESTIVAL (RENTER) FOR THE PERIOD OF JUNE 15, 2019 THROUGH JUNE 27, 2019 - SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-016

4C) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Approved;

1. Mr. John Haschak, North Coast Railroad Authority, Mendocino Representative;
2. Mr. Peter Braudrick, Mendocino Coast Resource Conservation District, Long Term Director; and
3. Ms. Julie Golden, Hopland Municipal Advisory Council, Member.

4D) APPROVAL OF MINUTES OF FEBRUARY 26, 2019, REGULAR MEETING

Approved;

4E) APPROVAL OF TRANSFER OF FUNDS TO SUFFICIENTLY REACTIVATE THE MENDOCINO COUNTY SERVICE AREA No. 3 (CSA 3), IN THE AMOUNT OF \$15,000 FROM BUDGET UNIT 1940 862239 (SPECIAL DEPARTMENTAL EXPENSE) - SPONSOR: EXECUTIVE OFFICE

Approved;

4F) ADOPTION OF RESOLUTION APPROVING RETROACTIVE GRANT AGREEMENT D1814106 WITH THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD IN THE AMOUNT OF \$30,000 TO PROVIDE BEACH WATER MONITORING AND PUBLIC NOTIFICATION FOR THE PERIOD OF JULY 1, 2018 THROUGH JUNE 30, 2019; AUTHORIZATION FOR THE HEALTH AND HUMAN SERVICES AGENCY DIRECTOR OR DESIGNEE TO SIGN ANY RENEWALS OR AMENDMENTS THAT DO NOT EXCEED THE ANNUAL MAXIMUM AMOUNT - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 19-039 and Agreement *19-017

RESOLUTION 19-039

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO AUTHORIZE THE MENDOCINO COUNTY HEALTH AND HUMAN SERVICES AGENCY DIRECTOR OR DESIGNEE TO SIGN THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD PUBLIC BEACH SAFETY PROGRAM GRANT

8A) ADOPTION OF RESOLUTION APPROVING THE REQUEST TO SELL TAX DEFAULTED PROPERTY SUBJECT TO THE POWER OF SALE - SPONSOR: TREASURER-TAX COLLECTOR

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 19-040

RESOLUTION 19-040

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE REQUEST TO SELL TAX-DEFAULTED PROPERTY SUBJECT TO THE POWER OF SALE

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

4G) APPROVAL OF MODIFICATION TO THE HOURS OF OPERATION OF THE MENDOCINO COUNTY MUSEUM TO THE FOLLOWING PROPOSED SCHEDULE: WEDNESDAY, FRIDAY, AND SATURDAY FROM 9:00 AM TO 5:00 PM, AND THURSDAY FROM 9:00 AM TO 7:00 PM - SPONSOR: CULTURAL SERVICES AGENCY

Presenter/s: Ms. Karen Horner, Director, Cultural Services Agency; and Ms. Megan Dukett, Program Administrator, Museum.

Public Comment: None

Board Directive: GENERAL CONSENSUS OF THE BOARD that modification to museum hours be returned to the Cultural Services Agency for input from the Library Advisory Board before returning to the Board of Supervisors.

5A) DISCUSSION AND POSSIBLE ACTION REGARDING AMENDMENT TO BOARD SPECIAL ASSIGNMENT ROSTER INCLUDING APPOINTMENT OF ALTERNATE BOARD MEMBER DIRECTOR/REPRESENTATIVE TO GOLDEN STATE FINANCE CORPORATION (GSFA) FOR THE 2018-19 TERM; AND APPOINTMENT OF TWO REPRESENTATIVES TO THE GOVERNING BOARD OF THE WORKFORCE ALLIANCE OF THE NORTH BAY - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Steve Dunncliff, Deputy Chief Executive Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors amends the Board Special Assignment Roster to include appointment of Supervisor Williams as Alternate Board Member Director/Representative to Golden State Finance Corporation for the 2018-19 term; and Supervisors Gjerde and Haschak as Representatives to the Governing Board of the Workforce Alliance of the North Bay. 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

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION OF MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION ACTUARIAL VALUATION FOR THE FISCAL YEAR ENDING JUNE 30, 2018, AND ADOPTION OF RETIREMENT CONTRIBUTION RATES FOR FISCAL YEAR 2019 20 - SPONSOR: MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION

Presenter/s: Mr. James Wilbanks, Retirement Administrator, Mendocino County Employees Retirement Association; and Mr. Andy Yeung, Vice President, Segal Consulting.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors Accepts the Mendocino County Employees Retirement Association Actuarial Valuation for the fiscal year ending June 30, 2018; and adopts the Retirement Board's recommended retirement contribution rates as contained within the report. 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

5C) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW OF PERFORMANCE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AGREEMENT NUMBER 12-CDBG-8399, AND AUTHORIZATION FOR THE COUNTY OF MENDOCINO TO CLOSE OUT GRANT, AS REQUIRED BY THE STATE HOUSING COMMUNITY DEVELOPMENT (HCD) AGENCY - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Brent Schultz, Director, Planning and Building Services; and Ms. Adrienne Thompson, Administrative Services Manager, 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 Reviews the Performance of Community Development Block Grant Agreement number 12-CDBG-8399 and authorizes the County of Mendocino to close out grant, as required by the State Housing Community Development Agency. 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

BOARD RECESS: 10:12 A.M. – 10:24 A.M.

5D) DISCUSSION AND POSSIBLE ACTION REGARDING AN UPDATE ON THE IMPLEMENTATION OF THE MENDOCINO COUNTY CANNABIS CULTIVATION PROGRAM, CANNABIS COMPLIANCE EFFORTS AND CANNABIS BUSINESS TAX - SPONSORS: AGRICULTURE AND TREASURER-TAX COLLECTOR

Presenter/s: Mr. Sean Connell, Cannabis Program Manager, Agriculture; Ms. Shari Schapmire, Treasurer-Tax Collector; and Ms. Sarah Dukett, Deputy Chief Executive Officer.

Public Comment: Ms. Tekla Broz; Ms. Monique Ramirez; Mr. Ron Edwards; Mr. Casey O'Neill; Mr. Gerasimos Christoforatos; Ms. Hannah Nelson; Ms. Anna Hope; Mr. Jed Davis; Ms. Meeka Farretta; and Mr. Marty Klein

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall investigate timeline needed to adopt equity program related Ordinance in order to be eligible for next grant cycle.

Board Action: No action taken.

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

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

Public Comment: None.

ADJOURNED TO CLOSED SESSION: 12:02 P.M.

8B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(B) - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – 1 CASE**9E) PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES****9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – JESSICA MCCALL V. MENDOCINO COUNTY, DISTRICT ATTORNEY'S OFFICE ET AL. CASE NO. SCUK CVG 18-70457 - WITHDRAWN**

RECONVENED IN OPEN SESSION: 1:44 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Brown.

Board Action: In respect to items 8b) and 9a), direction was given to staff.

5E) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE (CONTINUED)

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

Public Comment: None.

Board Action: No action taken.

5G) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION REGARDING THE CURRENT PROVISION OF MENTAL HEALTH SERVICES IN MENDOCINO COUNTY - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Tammy Moss Chandler, Director, Health and Human Services Agency; Ms. Jenine Miller, Director, Behavioral Health; and Ms. Camille Schraeder, Chief Financial Officer, Redwood Quality Management Company.

Public Comment: Ms. Susan Wynn Novatny.

Board Action: No action taken.

5H) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF BEHAVIORAL HEALTH ADVISORY BOARD 2018 ANNUAL REPORT - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Tammy Moss Chandler, Director, Health and Human Services Agency; Ms. Jenine Miller, Director, Behavioral Health; Ms. Jan McGourty, Chair, Behavioral Health Advisory Board; and Ms. Heidi Dunham, Director, Human Resources.

Public Comment: Ms. Susan Wynn Novatny; Ms. Meeka Farretta; and Ms. Lois Lockart.

Board Directive: BY ORDER OF THE CHAIR the issue of having County Employees serve on Boards and Commissions is hereby referred to the Director of Human Resources.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Behavioral Health Advisory Board Annual Report recommendations 2 and 3 are to be reviewed as part of the Legislative Platform.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the Measure B committee is encouraged to review and prioritize the Kemper Report recommendations.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the Chair of the Behavioral Health Advisory Board and the Chair of the Board of Supervisors shall work together to review typos within the Annual Report and also discuss items contained therein.

Board Action: No action taken.

BOARD RECESS: 3:43 P.M. – 3:54 P.M.

5I) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION ON THE NATIONAL STEPPING UP INITIATIVE FOCUSED ON REDUCING THE NUMBER OF PEOPLE WITH MENTAL ILLNESSES IN JAILS - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Tammy Moss Chandler, Director, Health and Human Services Agency; Ms. Jenine Miller, Director, Behavioral Health; and Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: None.

Board Action: No action taken.

5K) 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 FEBRUARY 5, 2019 UPDATE - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Dr. Ace Barash, Chair, Mental Health Treatment Act Citizen's Oversight Committee.

Public Comment: None.

Board Action: No action taken.

5L) ADOPTION OF RESOLUTION AUTHORIZING THE ADOPTION OF THE CLASSIFICATION OF ADMINISTRATIVE PROJECT MANAGER - MEASURE B AND CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 1020, ADD 1.0 FTE ADMINISTRATIVE PROJECT MANAGER - MEASURE B - SPONSOR: HUMAN RESOURCES

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

Public Comment: Ms. Jan McGourty.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors Adopts the Resolution authorizing the adoption of the classification of Administrative Project Manager - Measure B and changes to the Position Allocation Table as follows: Budget Unit 1020, add 1.0 FTE Administrative Project Manager - Measure B; 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 19-141

RESOLUTION 19-141

RESOLUTION OF THEMENDOCINO 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

5J) DISCUSSION AND POSSIBLE APPROVAL OF THE APPOINTMENT OF MELISSA PHILLIPS AS TEMPORARY HELP TO FULFILL CRITICALLY NEEDED DUTIES AFTER HER RETIREMENT, PURSUANT TO GOVERNMENT CODE (GC) 7522.56 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Bekkie Emery, Social Services Director, Health and Human Services Agency.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors Approves appointment of Melissa Phillips as temporary help to fulfill critically needed duties after her retirement, pursuant to GC 7522.56. 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

6A) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF TO EXPLORE FEASIBILITY OF TRANSITIONING OUR LOCAL EMERGENCY MEDICAL SERVICES AGENCY (LEMSA) PARTNERSHIP WITH SONOMA COUNTY TO BE A JOINT POWERS AUTHORITY - SPONSOR: SUPERVISOR WILLIAMS

Presenter/s: Supervisor Williams.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors Directs staff to begin discussions with Sonoma County regarding formation of a Joint Powers Authority to execute the partnership with our LEMSAs. 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

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

Board Action: No action taken.

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

Presenter/s: Ms. Sarah Dukett, Deputy

Public Comment: None.

Board Action: No action taken.

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

ADJOURNED TO CLOSED SESSION: 4:51 P.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - MENDOCINO COUNTY V. PG&E CORPORATION, ET AL. CASE NO. SCUk CVPg 18-70440

9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - COUNTY OF MENDOCINO, ET AL. V. AMERISOURCEBERGEN DRUG CORPORATION, ET AL. CASE NO. 18-CV-02712-RMI

9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(B) - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – 1 CASE

9F) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR; PROPERTY/PHYSICAL ADDRESS: RIVINO RANCH ROAD, (FRONTAGE ROAD E) UKIAH, CA (APN 184 210 RW); PARTIES: COUNTY OF MENDOCINO; AGENCY NEGOTIATORS: CARMEL J. ANGELO AND JANELLE RAU; UNDER NEGOTIATION: SURPLUS/SALE OF REAL PROPERTY

RECONVENED IN OPEN SESSION: 5:26 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Brown.

Board Action: In respect to agenda items 9a)-9b), 9d) and 9f), direction was given to staff.

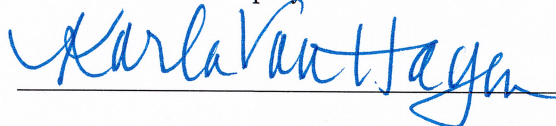
AGENDA ITEM NO. 10 – COMMUNICATIONS

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:27 P.M.

Attest: KARLA VAN HAGEN
Senior Deputy Clerk of the Board



CARRE BROWN, Chair



KARLA VAN HAGEN

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