

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 – June 11, 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 9:02 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; Mr. Christian Curtis, Assistant County Counsel; and Ms. Karla Van Hagen, Senior Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Ms. Jude Thilman.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Naomi Wagner; Ms. Ellen Faulkner; Ms. Kim Bancroft; Ms. Rosamond Crowder; Ms. Jude Thilman.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Brown.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that consent calendar items 4a) – 4g) 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) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Approved;

1. Ms. Karen Horner, Museum Director, Archaeological Commission of Mendocino County; and
2. Mr. Michael Carter, Public Appointee, Mendocino Council of Governments.

4B) APPROVAL OF OUT OF STATE TRAVEL FOR SUPERVISOR HASCHAK TO ATTEND NATIONAL ASSOCIATION OF COUNTIES' (NACo) 84TH ANNUAL CONFERENCE AND EXPOSITION IN LAS VEGAS, NEVADA; AND AUTHORIZATION OF EXPENDITURE OF AIRFARE AND LODGING EXPENSES IN THE APPROXIMATE AMOUNT OF \$2,000 - SPONSOR: SUPERVISOR HASCHAK

Approved;

4C) ADOPTION OF PROCLAMATION HONORING JODI TRAVERSARO FOR HER SERVICE TO MENDOCINO COUNTY - SPONSOR: SUPERVISOR BROWN

Adopted and Chair is authorized to sign same;

4D) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE PIERCY FIRE PROTECTION 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 19-193

RESOLUTION 19-193

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

4E) APPROVAL OF AGREEMENT WITH PLACEWORKS IN THE AMOUNT OF \$85,000 TO COMPLETE THE UPDATE TO THE COUNTY'S HOUSING ELEMENT FOR THE PERIOD OF 2019-27, EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED THROUGH DECEMBER 31, 2020 - SPONSOR: PLANNING AND BUILDING SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-143

4F) APPROVAL OF RETROACTIVE AMENDMENT TO REVENUE AGREEMENT 19-020 WITH THE U.S. DEPARTMENT OF JUSTICE (DOJ) DRUG ENFORCEMENT ADMINISTRATION (DEA) IN THE AMOUNT OF \$24,000, FOR A NEW AGREEMENT TOTAL OF \$182,000, TO DEFRAY COSTS RELATING TO TRAINING FOR ENVIRONMENTAL AND WATER DIVERSION CRIMES ASSOCIATED WITH ILLICIT MARIJUANA OPERATIONS FOR THE TERM OF MAY 9, 2019 THROUGH SEPTEMBER 30, 2019 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-020-A1

4G) ADOPTION OF RESOLUTION AUTHORIZING THE EXPENDITURE OF UP TO \$123,000 ON CERTAIN PAVING WORK ON A QUARTER MILE SECTION OF COUNTY MAINTAINED ROAD ON EUREKA HILL ROAD AND APPROVING AND AUTHORIZING EXECUTION OF DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 190029, MEMORANDUM OF AGREEMENT WITH THE CITY OF POINT ARENA CONCERNING THE SAME (POINT ARENA AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 19-194 and Agreement 19-144

RESOLUTION 19-194

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE EXPENDITURE OF UP TO \$123,000 ON CERTAIN PAVING WORK ON A QUARTER MILE SECTION OF COUNTY MAINTAINED ROAD ON EUREKA HILL ROAD AND APPROVING AND AUTHORIZING EXECUTION OF DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 190029, MEMORANDUM OF AGREEMENT WITH THE CITY OF POINT ARENA CONCERNING THE SAME (POINT ARENA AREA)

~~**4H) APPROVAL OF OUTDOOR FESTIVAL APPLICATION FOR THE KATE WOLF MUSIC FESTIVAL TO BE HELD JUNE 28 – JUNE 30, 2019, IN LAYTONVILLE AND AUTHORIZATION FOR THE TREASURER TAX COLLECTOR TO ISSUE THE OUTDOOR FESTIVAL LICENSE – SPONSOR: TREASURER TAX COLLECTOR – WITHDRAWN**~~

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

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

Public Comment: None.

Board Action: No action taken.

5C) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF MENDOCINO REBUILDING OUR COMMUNITY (M-ROC) ONE YEAR ANNIVERSARY OF THE REDWOOD COMPLEX FIRE REPORT TO THE COMMUNITY - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Nash Gonzalez, Recovery Director; Ms. Megan Allende, Chief Executive Officer, Community Foundation; Ms. Rose Bell, Project Manager, Mendocino Rebuilding Our Community; and Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: None.

Board Action: No action taken.

5D) DISCUSSION AND POSSIBLE ACTION REGARDING UPDATES ASSOCIATED WITH 2017 FIRE RECOVERY EFFORTS IN MENDOCINO COUNTY - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Nash Gonzalez, Recovery Director.

Public Comment: None.

Board Action: No action taken.

5E) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING MENDOCINO COUNTY CODE SECTION 6.32.150 - APPEALS PROCEDURE; AND DIRECTION TO STAFF REGARDING A PROPOSED APPELLATE BODY STRUCTURE FOR THE CANNABIS BUSINESS TAX (CHAPTER 6.32) AND POLICY CONSIDERATIONS RELATED THERETO - SPONSORS: COUNTY COUNSEL, PLANNING AND BUILDING SERVICES, AND TREASURER-TAX COLLECTOR

Presenter/s: Mr. Matthew Kiedrowski, Deputy County Counsel; Mr. Brent Schultz, Director, Planning and Building Services; Ms. Shari Schapmire, Treasurer-Tax Collector; and Ms. Sarah Dukett, Deputy Chief Executive Officer.

Public Comment: Ms. Hannah Nelson; Mr. Casey O'Neill; Ms. Tekla Broz; Mr. Mark Shaffer; Mr. Chris O'Bergin; Mr. Joey Gothelf; Mr. Jed Davis; Mr. Krishan Knoles; Mr. Marty Clein; and Ms. Monique Ramirez.

BOARD RECESS: 10:36 A.M. – 1:30 P.M.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors introduces and waives first reading of an Ordinance amending Section 6.32.150 Appeal Procedure of Mendocino County Code Chapter 6.32 - Cannabis Business Tax. 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 Directive: GENERAL CONSENSUS OF THE BOARD that Appeal Body shall be composed of Chief Executive Officer, or designee; Planning and Building Services Director or designee; and Agricultural Commissioner, or designee; Cultivators may appeal if they can demonstrate that they did not cultivate, or provide proof cultivation occurred at a different permit level; Appeal fee shall be determined by staff; and Penalties shall not be imposed until an appeal procedure has been established.

ADJOURNED TO LUNCH RECESS: 12:06 P.M.

RECONVENED IN OPEN SESSION 1:30 P.M.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall review Nelson memo and consider suggested changes regarding time for appeal.

5F) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION FROM THE ECONOMIC DEVELOPMENT & FINANCE CORPORATION (EDFC) INCLUDING AN UPDATE ON ECONOMIC DEVELOPMENT AND BROADBAND STRATEGIC PLAN IMPLEMENTATION - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Heather Gurewitz, Executive Director, Economic Development and Finance Corporation; and Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: None.

Board Action: No action taken.

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

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

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

Board Action: BY ORDER OF THE CHAIR, County Counsel shall telephone the Attorney General regarding the previously requested Measure V legal opinion.

ADJOURNED TO CLOSED SESSION: 2:37 P.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 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES

9C) PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES

RECONVENED IN OPEN SESSION: 3:42 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Brown.

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

5A) 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 APRIL 9, 2019 UPDATE - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Donna Moschetti, Vice-Chair, Mental Health Treatment Act Citizen's Oversight Committee.

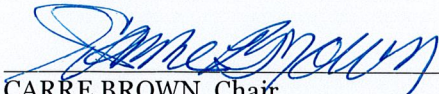
Public Comment: None.

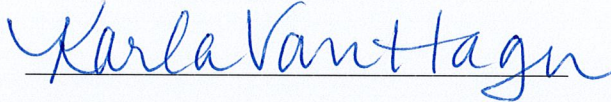
Board Action: No action taken.

AGENDA ITEM NO. 10 – COMMUNICATIONS

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 3:48 P.M.

Attest: KARLA VAN HAGEN
Deputy Clerk of the Board


CARRE BROWN, 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