



MENDOCINO COUNTY BOARD OF SUPERVISORS
ACTION MINUTES – MAY 17, 2016

MENDOCINO
 COUNTY
 BOARD OF
 SUPERVISORS

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO • STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
 (PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)

CARRE BROWN
 FIRST DISTRICT

REGULAR MEETING SPECIAL SESSION PLANNING MATTERS

JOHN McCOWEN
 SECOND DISTRICT
 VICE-CHAIR

AGENDA ITEM NO. 1 – OPEN SESSION (ROLL CALL AND PLEDGE OF ALLEGIANCE – 9:04 A.M.)
Present: Supervisors Carre Brown, John McCowen, Tom Woodhouse, Dan Gjerde, and Dan Hamburg. Chair Gjerde presiding.

TOM WOODHOUSE
 THIRD DISTRICT

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

DAN GJERDE
 FOURTH DISTRICT
 CHAIR

Pledge of Allegiance: Ms. Janelle Rau.

DAN HAMBURG
 FIFTH DISTRICT

AGENDA ITEM NO. 2A – ADOPTION OF PROCLAMATION RECOGNIZING MAY 2016, AS NATIONAL DRUG COURT MONTH IN MENDOCINO COUNTY – SPONSORS: SUPERVISORS McCOWEN AND BROWN

Presenter/s: Supervisor Hamburg.

CARMEL J. ANGELO
 CHIEF EXECUTIVE
 OFFICER/
 CLERK OF THE BOARD

Public Comment: Mr. Christopher D. Ruhl.

Board Action: Approved without objection.

KATHARINE L. ELLIOTT
 COUNTY COUNSEL

AGENDA ITEM NO. 8 – MODIFICATIONS TO THE AGENDA

Presenter/s: Chair Gjerde announced the following modification to the Agenda:

- (a) (BOS Agreement No. 16-022) Convening as the Board of Directors for the Mendocino County Air Quality Management District: Approval of the Air Quality Management Districts Request to Enter into an Agreement for the Period of March 24, 2016, through December 31, 2016, with Ms. Terry Gross, for an Amount not to Exceed \$50,000 for Separate Legal Representation for the Air Quality Management District
- (b) Approval to Award a Contract to Cupples & Sons Construction Inc., in the Amount of \$835,724 for the Administration Center (North Wing) and Storage Building Roof and HVAC Equipment Replacement Project; and Authorization for the Board Chair to Sign the Contract Upon Receipt of the Bidders Required Bonds and Certificates of Insurance; in the Event the Lowest Responsive and Responsible Bidder Withdraws Bid, Authorize Staff to Award Contract to the Next Lowest Responsive and Responsible Bidder in the Amount of \$1,038,000; and, Further, Authorize 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

Board Action: No action taken.

BOARD RESOURCE
 INFORMATION:

OFFICE: (707) 463-4221
 FAX: (707) 463-7237

EMAIL THE BOARD:
 BOS@CO.MENDOCINO.CA.US

WEBSITE:
 WWW.CO.MENDOCINO.CA.US/BOS

WATCH LIVE BOARD
 MEETINGS VIA
 THE COUNTY'S
 YOUTUBE CHANNEL

BOARD
 ACTION MINUTES
 (SEE LAST PAGE
 FOR MORE INFORMATION)

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

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

Board Action: No action taken.

AGENDA ITEM NO. 4 – CONSENT CALENDAR

Presenter/s: Chair Gjerde.

Board Directive: Consent Calendar items 4(l) and 8(b) removed for separate consideration.

Public Comment: Mr. Robert Scaglione, Air Pollution Control Officer, Air Quality Management District.

Board Action: Upon motion by Supervisor Woodhouse, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that Consent Calendar items 4(a-k, m-q) and 8(a) are approved as follows:

- (a) March 15, 2016 Regular Board Meeting – Approved;
- (b) March 21, 2016 Special Board Meeting – Approved;
- (c) April 5, 2016 Regular Board Meeting – Approved;
- (d) April 18, 2016 Regular Board Meeting – Approved;
- (e) (BOS Agreement No. 16-020) Approval of Cooperative Agreement with California Department of Food and Agriculture (CDFA) in the Amount of \$134,253 for Reimbursement of Detection Trapping Activities Related to European Grapevine Moth (EGVM) – Agriculture – Approved and Chair is authorized to sign same;
- (f) Ratification of Letter to Legislature in Support of Senate Bill 1758 - Internet for All Now Act – Supervisor Hamburg – Approved and Chair is authorized to sign same;
- (g) (BOS Agreement No. 16-021, BOS No. 11-0008A4, and BOS Agreement No. 10-138A4) Approval of Settlement Agreement and Release of Claims Between County of Mendocino and Solid Waste of Willits, Inc., Including Fourth Amendment to Agreement No. 11-008 and Fourth Amendment to Agreement No. 10-138 to Indemnify Operator Concerning County Storm Water Pollution Prevention Plan – County Counsel – Approved and Chair is authorized to sign same;
- (h) Adoption of Resolution Rescinding Prior Resolution Nos. 15-097 and 15-098, Withdrawing the Related Notice of Exemption Filed On June 22, 2015, and Suspending the Integrated Wildlife Damage Management (IWDM) Program – County Counsel – Adopted and Chair is authorized to sign same –

RESOLUTION NO. 16-058

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RESCINDING PRIOR RESOLUTION NOS. 15-097 AND 15-098, WITHDRAWING THE RELATED NOTICE OF EXEMPTION FILED ON JUNE 22, 2015, AND SUSPENDING THE INTEGRATED WILDLIFE DAMAGE MANAGEMENT (IWDM) PROGRAM

- (i) Approval of Transfer of \$400,000 in Appropriations from Personnel Expenses - 1000 Series to Operating Expenses - 2000 Series for Fiscal Year 2015-16 in the District Attorney's Budget Unit 2070 for Supporting Much Needed Work Flow and Productivity Improvements for the District Attorney's Office – District Attorney – Approved;

- (j) Approval of Amendment to Revenue Agreement 14-90070 A03 with California Department of Health Care Services (DHCS) Substance Use Disorder (SUD) Services to Provide SUD Services for Fiscal Years 2014-17; and Adoption of Resolution Authorizing the Health and Human Services Agency (HHSA) Assistant Director/Behavioral Health Director to Sign Revenue Agreement 14-90070 A03 and Any Future Amendments to the Agreement that do not Affect the Annual Maximum Amount – Health And Human Services Agency – Adopted and Chair is authorized to sign same –

RESOLUTION NO. 16-059

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO AUTHORIZE THE HEALTH AND HUMAN SERVICES AGENCY (HHSA) ASSISTANT DIRECTOR/ BEHAVIORAL HEALTH DIRECTOR TO SIGN AS AN AGENT ON BEHALF OF THE COUNTY OF MENDOCINO FOR THE STATE OF CALIFORNIA, DEPARTMENT OF HEALTH CARE SERVICES; CONTRACT NUMBER 14-90070 A03 (SUBSTANCE USE DISORDER SERVICES)

- (k) Adoption of Proclamation Recognizing May 15-21, 2016, as Emergency Medical Services (EMS) Week in Mendocino County – Health and Human Services Agency – Adopted and Chair is authorized to sign same;
- (m) Acceptance of Informational Report Regarding the Issuance of Emergency Coastal Development Permit No. EM 2016-0001 (Ham) for Construction of a Replacement Pump House in Fort Bragg – Planning and Building Services – Approved;
- (n) Approval of Purchase of a CISCO Direct NIM 8MFT-T1/E1 Router Card in the Amount of \$5,155.04 and Add Item to the Fixed Asset List for Budget Unit 2310 – Sheriff's Office – Approved;
- (o) Approval of Purchase of Kirby Lester KL1 Medication Tablet Counting Machines in the Amount of \$14,985 and Add Item to the Fixed Asset List – Sheriff's Office – Approved;
- (p) (BOS Agreement No. 12-011 A3) Adoption of Resolution Approving Amendment No. 3 to Agreement No. 12-011/Department of Transportation (DOT) Agreement No. 110101, for Additional Right-of-Way Survey Staking, with MGE Engineering, Inc., for a Total Amount of \$2,400, for the Design of the Muir Mill Bridge Replacement over Baechtel Creek on Muir Mill Road, CR 301C (Willits Area) – Transportation – Adopted and Chair is authorized to sign same –

RESOLUTION NO 16-060

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NO. 3 TO THE BOARD OF SUPERVISORS (BOS) AGREEMENT NO. 12-011/DEPARTMENT OF TRANSPORTATION (DOT) AGREEMENT NO. 110101, FOR ADDITIONAL RIGHT-OF-WAY SURVEY STAKING, WITH MGE ENGINEERING, INC., FOR A TOTAL AMOUNT OF \$2,400, FOR THE DESIGN OF THE MUIR MILL BRIDGE REPLACEMENT OVER BAECHTEL CREEK ON MUIR MILL ROAD, CR 301C (WILLITS AREA)

- (q) Approval of Appropriation of Funds Within Budget Unit 0327 from Line Item 750000 to Line Items 862183, 862189 and 862239 of the District's Fund Balance to Cover Unanticipated Expenses Related to Legal Services and Grant Funds in Fiscal Year 2015-16 – Mendocino County Air Quality Management District – Approved;

AGENDA ITEM NO. 4L – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION – SPONSOR: HUMAN RESOURCES

Approval of Amendment to Agreement No. 15-068 With Liebert Cassidy Whitmore, Increasing the Total Compensation for the Period of July 1, 2015, Through June 30, 2016, by \$150,000 (from \$250,000 to a New Total Contract Amount of \$400,000), to Provide Employer/Employee Relations Services with the County's Eight Bargaining Units and Other Outside Legal Representation as Needed

Presenter/s: Supervisor McCowen.

Public Comment: Ms. Heidi Dunham, Director, Human Resources; and Ms. Katharine L. Elliott, County Counsel.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Woodhouse, and carried (4/1, with Supervisor McCowen dissenting); IT IS ORDERED that the Board of Supervisors approves amendment to Agreement No. 15-068 with Liebert Cassidy Whitmore, increasing the total compensation for the period of July 1, 2015, through June 30, 2016, by \$150,000 (from \$250,000 to a new total contract amount of to \$400,000), to provide employer/employee relations services with the County's eight bargaining units and other outside legal representation as needed; and authorizes Chair to sign same.

AGENDA ITEM NO. 8B – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION – SPONSOR: EXECUTIVE OFFICE

Approval to Award a Contract to Cupples & Sons Construction Inc., in the Amount of \$835,724 for the Administration Center (North Wing) and Storage Building Roof and HVAC Equipment Replacement Project; and Authorization for the Board Chair to Sign the Contract Upon Receipt of the Bidders Required Bonds and Certificates of Insurance; in the Event the Lowest Responsive and Responsible Bidder Withdraws Bid, Authorize Staff to Award Contract to the Next Lowest Responsive and Responsible Bidder in the Amount of \$1,038,000; and, Further, Authorize 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

Presenter/s: Supervisor McCowen.

Public Comment: Mr. Christopher Shaver, Deputy Chief Executive Officer; and Mr. Alan D. Flora, Assistant Chief Executive Officer.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves contract award to Cupples & Sons Construction Inc., in the amount of \$835,724 for the Administration Center (North Wing) and storage building roof and HVAC equipment replacement project; and authorizes the Chair to sign the contract upon receipt of the bidders required bonds and certificates of insurance; in the event the lowest responsive and responsible bidder withdraws bid, authorizes staff to award contract to the next lowest responsive and responsible bidder in the amount of \$1,038,000; and, further, authorizes 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.

AGENDA ITEM NO. 2B – ADOPTION OF PROCLAMATION RECOGNIZING ANTHONY GOURNO IN ACHIEVING THE RANK OF EAGLE SCOUT IN THE BOY SCOUTS OF AMERICA, TROOP 316 IN MENDOCINO COUNTY – SPONSORS: SUPERVISORS MCCOWEN AND BROWN

Presenter/s: Supervisor McCowen.

Public Comment: Mr. Anthony Gournou.

Board Action: Approved without objection.

AGENDA ITEMS 5(c) AND 5(d) HEARD CONCURRENTLY

AGENDA ITEM NO. 5C – DISCUSSION AND POSSIBLE ACTION REGARDING THE STATUS OF ADULT MENTAL HEALTH SERVICES TRANSITION AND RELATED ACTIVITIES AND THE KEMPER CONSULTING GROUP MENTAL HEALTH SERVICES REVIEW – SPONSOR: EXECUTIVE OFFICE

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

Board Action: No action taken.

AGENDA ITEM NO. 5D – DISCUSSION AND POSSIBLE ACTION REGARDING A PRESENTATION FROM THE KEMPER CONSULTING GROUP REGARDING THE 2016 MENDOCINO COUNTY MENTAL HEALTH SERVICES SYSTEM REVIEW – SUMMARY OF RECOMMENDATION IMPLEMENTATION PLAN AND THE 2016 MENDOCINO COUNTY MENTAL HEALTH SERVICES – ADULT SERVICES TRANSITION PLAN – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Lee Kemper, Kemper Consulting Group.

Public Comment: Ms. Jan McGourty; and Ms. Camille Schraeder.

Board Action: No action taken.

RECESS: 11:09 A.M. – 11:22 A.M.

AGENDA ITEM NO. 5F – DISCUSSION AND POSSIBLE ACTION REGARDING MENTAL HEALTH SERVICES ACT HOUSING PRESENTATION AND THE 2016 MENTAL HEALTH SYSTEM HOUSING FUNDS FEEDBACK/RESULTS SURVEY – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Jenine Miller, Mental Health Director, Health and Human Services Agency; Mr. Mike Pallesen, Director of Development, Rural Communities Housing Development Corporation; and Ms. Robin Meloche, Senior Program Specialist, Health and Human Services Agency.

Public Comment: Ms. Jan McGourty; and Mr. John Wetzler.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Health and Human Services Agency staff shall review options related to placing the project, preferably in either Fort Bragg or Willits, or Ukiah as a secondary option.

AGENDA ITEM NO. 5D (CONTINUED FROM THE MAY 16, 2016 BOARD OF SUPERVISORS MEETING) – DISCUSSION AND POSSIBLE DIRECTION REGARDING THE PREPARATION OF MENDOCINO COUNTY'S FISCAL YEAR (FY) 2016-17 BUDGET – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Alan D. Flora, Assistant Chief Executive Officer; Ms. Heidi Dunham, Director, Human Resources; and Mr. Doug Gherkin, Chief Fiscal Officer, Health and Human Services Agency.

Board Action: No action taken.

AGENDA ITEM NO. 5G – DISCUSSION AND POSSIBLE ACCEPTANCE OF PRESENTATION OF THE DRAFT MENDOCINO COUNTY LOCAL AREA MANAGEMENT PLAN (LAMP); AND POSSIBLE APPROVAL OF SUBMISSION TO THE NORTH COAST REGION WATER QUALITY CONTROL BOARD, PURSUANT TO AB 885 STATE MANDATE – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Mr. David Jensen, Environmental Health Director, Health and Human Services Agency; Ms. Marlayna Bourbonnais, Environmental Health Specialist, Health and Human Services Agency; and Mr. Trey Strickland, Environmental Health Manager, Health and Human Services Agency.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors accepts presentation and approves draft Mendocino County Local Area Management Plan (LAMP) to be submitted to the North Coast Region Water Quality Control Board, pursuant to AB 885 State mandate.

LUNCH RECESS: 12:31 P.M. - 1:33 P.M.

AGENDA ITEM NO. 5L – NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE REZONING TWO (2) PARCELS TOTALING 27.7± ACRES CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) TO I-2 (GENERAL INDUSTRIAL), LOCATED AT 2399 NORTH STATE STREET IN UKIAH, ASSESSOR PARCEL NUMBERS 192-242-11 AND -12 – SPONSOR: PLANNING AND BUILDING SERVICES

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

Public Comment: Mr. Norman De Vall.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts Ordinance rezoning two (2) parcels totaling 27.7± acres currently zoned C-2 (General Commercial) to I-2 (General Industrial), located at 2399 North State Street in Ukiah, Assessor Parcel Numbers 192-242-11 and -12, making the necessary findings; and further, and authorizes Chair to sign same -

ORDINANCE NO. 4357

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY

AGENDA ITEM NO. 5K – 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.

AGENDA ITEM NO. 5i – DISCUSSION AND POSSIBLE ACCEPTANCE OF PRESENTATION OF THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT; POSSIBLE ADOPTION OF RESOLUTION DECLARING THE INTENTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO LEVY AND COLLECT AN ASSESSMENT FROM LODGING BUSINESSES IN THE BID (WITHIN THE BOUNDARIES OF THE UNINCORPORATED PORTION OF THE COUNTY OF MENDOCINO AND THE INCORPORATED AREA OF THE CITY OF FORT BRAGG, THE CITY OF UKIAH, AND THE CITY OF WILLITS); AND FIXING THE DATE, TIME, AND PLACE OF A PUBLIC HEARING TO BE HELD IN FRONT OF THE BOARD TO LEVY THE PROPOSED ASSESSMENT FOR FISCAL YEAR 2016-17 – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Steve Dunncliff, Director, Planning and Building Services.

Public Comment: Ms. Wendy Roberts; Ms. Jennifer Seward; and Mr. John Kuhry.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors accepts the Mendocino County Lodging Business Improvement District (BID) Annual Report; adopts Resolution declaring the intention of the Mendocino County Board of Supervisors to levy and collect an assessment from lodging businesses in the BID (within the boundaries of the unincorporated portion of the County of Mendocino and the incorporated area of the City of Fort Bragg, the City of Ukiah, and the City of Willits); and authorizes Chair to sign same; and further, set a public hearing to be held in front of the Board at a regular meeting on June 21, 2016, at or about 9:00 A.M. or as soon thereafter as the matter can be heard, to levy the proposed assessment for Fiscal Year 2016-17 -

RESOLUTION NO. 16-061

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING ITS INTENTION TO LEVY AND COLLECT AN ANNUAL ASSESSMENT FROM BUSINESSES IN THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT WITHIN THE BOUNDARIES OF THE UNINCORPORATED PORTION OF THE COUNTY OF MENDOCINO AND THE INCORPORATED AREA OF THE CITY OF FORT BRAGG, THE CITY OF UKIAH, AND THE CITY OF WILLITS FROM SPECIFIED HOTEL BUSINESSES AND FIXING THE DATE, TIME AND PLACE OF A PUBLIC HEARING TO BE HELD BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO TO LEVY THE PROPOSED ASSESSMENT FOR FISCAL YEAR 2016-2017

AGENDA ITEM NO. 5E – DISCUSSION AND POSSIBLE ACCEPTANCE OF PRESENTATION REGARDING USE OF TITLE IV-E TRAINING FUNDS IN MENDOCINO COUNTY – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Jena Connor, Deputy Director, Health and Human Services Agency; Ms. Julia Dozier, District Executive Director, Chabot-Las Positas College; and Ms. Anne Molgaard, Chief Operational Officer, Health and Human Services Agency.

Public Comment: Ms. Townley Sage; Ms. Joanna Olson; Ms. Maya Stuart; Ms. Willow Anderson; and Ms. Camille Schraeder.

Board Action: No action taken.

AGENDA ITEM NO. 5J – DISCUSSION AND POSSIBLE APPROVAL OF DISBURSEMENT OF \$35,000 OF MENDOCINO COUNTY FISH AND GAME PROPAGATION FUNDS FOR ROUND ONE OF THE 2015-16 PROJECT CYCLE – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Steve Dunncliff, Director, Planning and Building Services; and Mr. Shawn White, Commissioner, Mendocino County Fish and Game Commission.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Woodhouse, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves the recommendations of the Mendocino County Fish and Game Commission for disbursement of \$35,000 from the Fish and Game Propagation Fund for round one of the 2015-16 project cycle.

AGENDA ITEM NO. 5H – DISCUSSION AND POSSIBLE ACCEPTANCE OF INFORMATIONAL PRESENTATION FROM THE MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Patricia Hickey, Executive Director, Mendocino County Resource Conservation District.

Board Action: No action taken.

ADJOURNED TO CLOSED SESSION: 2:56 P.M.

~~**AGENDA ITEM NO. 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 WITHDRAWN**~~

~~**AGENDA ITEM NO. 9B – CONVENING AS THE BOARD OF DIRECTORS FOR THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT: PURSUANT TO GOVERNMENT CODE SECTION 54957 PUBLIC EMPLOYEE PERFORMANCE EVALUATION - AIR POLLUTION CONTROL OFFICER**~~

~~**AGENDA ITEM NO. 9C – CONVENING AS THE BOARD OF DIRECTORS FOR THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT: 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 AIR QUALITY MANAGEMENT DISTRICT, HEARING BOARD OF THE AIR QUALITY MANAGEMENT DISTRICT, ROBERT SCAGLIONE, IN HIS OFFICIAL CAPACITY AS AIR POLLUTION CONTROL OFFICER FOR THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT, MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUJ-CVPT-15-66445**~~

~~**AGENDA ITEM NO. 9D – CONVENING AS THE BOARD OF DIRECTORS FOR THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT: PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: PEOPLE OF THE STATE OF CALIFORNIA, EX REL COUNTY OF MENDOCINO AIR QUALITY V. GRIST CREEK AGGREGATES, LLC; BRIAN HURT, MERCER-FRASER COMPANY MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUJ-CVG-16 67314**~~

RECONVENED IN OPEN SESSION: 4:42 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Gjerde.

Board Action: Direction was given to staff in the matter of items 9(c) and 9(d). Item 9(b) is continued to the June 8th regular meeting of the Mendocino County Board of Supervisors.

AGENDA ITEM NO. 5A – CHIEF EXECUTIVE OFFICER’S REPORT

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

Board Action: No action taken.

AGENDA ITEM NO. 6C (CONTINUED FROM THE MAY 16, 2016 BOARD OF SUPERVISORS MEETING) – DISCUSSION AND POSSIBLE ADOPTION OF AN URGENCY ORDINANCE AMENDING CHAPTER 9.31 OF TITLE 9 OF THE MENDOCINO COUNTY CODE ENTITLED, MEDICAL MARIJUANA CULTIVATION REGULATION – SPONSORS: SUPERVISORS McCOWEN AND WOODHOUSE

Presenter/s: Supervisor McCowen and Supervisor Woodhouse.

Public Comment: Mr. Thomas Allman, Sheriff; Ms. Hannah Nelson; Ms. Sarah Bodnar; Ms. Julia Carrera; Mr. Jared Saarni; Ms. Corrine Powell; and Mr. Randy Johnson, Under Sheriff.

Board Directive: GENERAL CONSENSUS OF THE BOARD directing staff to return to the Board of Supervisors with an agenda item disbanding the Marijuana Ad Hoc and referring the topic to the General Government Committee.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Woodhouse, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts Urgency Ordinance Amending Chapter 9.31 of Title 9 of the Mendocino County Code entitled Medical Marijuana Cultivation Regulation with modifications to the Urgency Ordinance as noted and authorizes Chair to sign same -

ORDINANCE NO. 4356

AN URGENCY ORDINANCE AMENDING CHAPTER 9.31 OF TITLE 9 OF THE MENDOCINO COUNTY CODE ENTITLED "MEDICAL MARIJUANA CULTIVATION REGULATION"

~~**AGENDA ITEM NO. 5B – DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM – SPONSOR: EXECUTIVE OFFICE WITHDRAWN**~~

Board Action: No action taken.

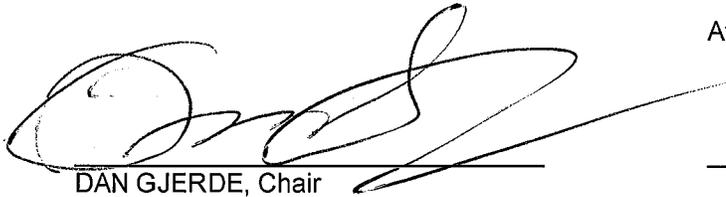
~~**AGENDA ITEM NO. 6A – SUPERVISORS’ REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST WITHDRAWN**~~

Board Action: No action taken.

AGENDA ITEM NO. 10 – COMMUNICATIONS RECEIVED AND FILED

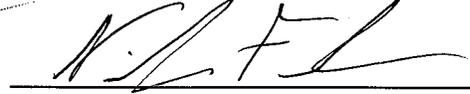
- (a) California Water Boards, North Coast Regional Water Quality Control Board, Meeting Announcement. For more information, contact Patti Corsie, Executive Assistant at (707) 576-2307 or PCorsie@waterboards.ca.gov.
- (b) State of California, Department of Water Resources, Water Conditions in California Report 3 - April 1, 2016. For more information, contact State of California, Department of Water Resources, P.O. Box 942836, Sacramento, CA 94236-0001.
- (c) State Water Resources Control Board, May 3, 2016, Notice of Temporary Urgency Change Petitions for Permits 1294A, 12949, 12950, and 16596 (Applications 12919A, 15736, 15737, and 19351) of Sonoma County Water Agency. For more information, contact Jennifer Dick-McFadden at (916) 322-8568 or jennifer.dick-mcfadden@waterboards.ca.gov.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:52 P.M.



DAN GJERDE, Chair

Attest: Nicole French
Senior 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

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