

GLENN MCGOURTY
1st District
Supervisor
Vice-Chair

MAUREEN
MULHEREN
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

TED WILLIAMS
5th District
Supervisor
Chair



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

CHRISTIAN M. CURTIS
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 –February 1, 2022

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 Glenn McGourty, Supervisor Maureen Mulheren, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams. Chair Williams presiding.

Staff Present: Carmel J. Angelo, Chief Executive Officer; Darcie Antle, Assistant Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Deputy Clerk of the Board; Deena Gera, Deputy Clerk of the Board; and Anthony Baroza, Staff Assistant.

The Pledge of Allegiance was led by: Supervisor Haschak.

AGENDA ITEM NO. 2 – PUBLIC EXPRESSION

Presenter/s: Carrie Shattuck; Travis Killmer; Tony Rakes; Ron Edwards; Blaire AuClair; and Susan Tibbon.

AGENDA ITEM NO. 3 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Williams.

Public Comment: Ron Edwards.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Haschak, IT IS ORDERED that Consent Calendar items 4a) – 4m) are hereby approved as follows. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

3A) ADOPTION OF PROCLAMATION RECOGNIZING AND HONORING MS. EDITH RECAGNO KEENAN CECCARELLI UPON HER 114TH BIRTHDAY ON FEBRUARY 5, 2022 - SPONSOR: SUPERVISOR HASCHAK

Adopted;

3B) ACCEPTANCE OF INFORMATIONAL REPORT FROM THE GOLDEN GATE BRIDGE, HIGHWAY & TRANSPORTATION DISTRICT (GGBHTD) - SPONSOR: SUPERVISOR GJERDE

Approved;

3C) ADOPTION OF RESOLUTION DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE OCTOBER WIND EVENTS AND CORRESPONDING PACIFIC GAS AND ELECTRIC PUBLIC SAFETY POWER SHUTOFF EVENTS ON OCTOBER 23, 2019, OCTOBER 26, 2019 AND OCTOBER 29, 2019, IN MENDOCINO COUNTY AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-025

RESOLUTION 22-025

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO THE OCTOBER 2019 WIND EVENTS

3D) ADOPTION OF RESOLUTION DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE HOPKINS FIRE AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND RATIFYING THE EXISTENCE OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER - SPONSORS: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-026

RESOLUTION 22-026

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE HOPKINS FIRE AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND REAFFIRMING THE EXISTENCE OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER

3E) ADOPTION OF RESOLUTION DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE MULTIPLE SEPTEMBER 2020 FIRES INCLUDING; AUGUST COMPLEX, OAK FIRE AND HOPKINS FIRE, AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND DECLARING THE CONTINUATION OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-027

RESOLUTION 22-027

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO SEPTEMBER 2020 FIRES AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND REAFFIRMING THE EXISTENCE OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER

3F) ADOPTION OF RESOLUTION RENEWING ITS DECLARATION OF A LOCAL EMERGENCY AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS AND IMMINENT THREAT OF DISASTER IN MENDOCINO COUNTY - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-028

RESOLUTION 22-028

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RENEWING ITS DECLARATION OF A LOCAL EMERGENCY AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS AND IMMINENT THREAT OF DISASTER IN MENDOCINO COUNTY

3G) ADOPTION OF AN ORDINANCE REPEALING ORDINANCE NO. 4491, WHICH AMENDED CHAPTER 6.36 - CANNABIS FACILITIES BUSINESSES AND CHAPTER 20.243 - CANNABIS FACILITIES - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4501

ORDINANCE 4501

ORDINANCE REPEALING ORDINANCE NO. 4491, WHICH AMENDED CHAPTER 6.36 – CANNABIS FACILITIES BUSINESSES AND CHAPTER 20.243 – CANNABIS FACILITIES

3H) ADOPTION OF RESOLUTION FINDING THAT STATE AND LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING IN CONNECTION WITH PUBLIC MEETINGS - SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-029

RESOLUTION 22-029

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO FINDING THAT STATE OR LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING IN CONNECTION WITH PUBLIC

3I) APPROVAL OF RETROACTIVE SIXTH AMENDMENT TO BOS AGREEMENT 17-131 WITH NAPHCARE INC. IN THE AMOUNT OF \$158,000 FOR A NEW AGREEMENT TOTAL OF \$19,263,009.38 TO ADD ONE LICENSED MENTAL HEALTH PROVIDER (LMHP) FULL-TIME EMPLOYEE (FTE) FOR THE PERIOD OF JANUARY 1, 2022 THROUGH DECEMBER 31, 2022 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-131-A6

3J) ADOPTION OF RESOLUTION AUTHORIZING THE DIRECTOR OF EMERGENCY SERVICES, ASSISTANT DIRECTOR OF EMERGENCY SERVICES, AND/OR UNDERSHERIFF TO EXECUTE FOR, AND ON BEHALF OF, MENDOCINO COUNTY ANY ACTIONS NECESSARY FOR ADMINISTRATION OF THE FISCAL YEAR (FY) 2021 EMERGENCY MANAGEMENT PERFORMANCE GRANT - AMERICAN RESCUE PLAN ACT (EMPG - ARPA) - SPONSOR: SHERIFF-CORONER

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-030

RESOLUTION 22-030

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO AUTHORIZE THE CEO / DIRECTOR OF EMERGENCY SERVICES, SHERIFF-CORONER / ASSISTANT DIRECTOR OF EMERGENCY SERVICES, AND/OR THE UNDERSHERIFF TO EXECUTE FOR, AND ON BEHALF OF, MENDOCINO COUNTY ANY ACTIONS NECESSARY FOR THE ADMINISTRATION OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT – AMERICAN RESCUE PLAN ACT (EMPG-ARPA) (FY 21, FY 22, FY 23)

3K) APPROVAL OF RETROACTIVE AWARD AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE (DOJ) UNDER THE FUNDING OPPORTUNITY ENTITLED 2021 BJA FY 21 RURAL VIOLENT CRIME REDUCTION INITIATIVE FOR LAW ENFORCEMENT AGENCIES IN THE AMOUNT OF \$150,000 FOR THE PROJECT PERIOD OF NOVEMBER 1, 2021, THROUGH OCTOBER 31, 2024 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-029

3L) APPROVAL OF RETROACTIVE REVENUE AGREEMENT NO. 2022-27 WITH THE U.S. DEPARTMENT OF JUSTICE DRUG ENFORCEMENT ADMINISTRATION (DOJ DEA) IN THE AMOUNT OF \$185,000 FOR THE ERADICATION AND SUPPRESSION OF ILLICIT CANNABIS ON FEDERAL LANDS FOR THE TERM OF OCTOBER 1, 2021 TO SEPTEMBER 30, 2022 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *22-030

3M) APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) WITH LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT, FOR INTERIM AIR POLLUTION CONTROL OFFICER SERVICES, WITH A TERM FROM FEBRUARY 1, 2022 THROUGH APRIL 30, 2022, AND AUTHORIZATION FOR THE CHIEF EXECUTIVE OFFICER OR DESIGNEE TO APPROVE UP TO THREE ADDITIONAL ONE MONTH EXTENSIONS, WITH A MONTHLY COST OF UP TO \$4,400, FOR A TOTAL COST OF UP TO \$26,400 - SPONSOR: AIR QUALITY MANAGEMENT DISTRICT

Adopted and Chair is authorized to sign same;

Enactment No: Agreement 22-031

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF UPDATE REGARDING THE STRATEGIC PLANNING PROCESS - SPONSOR: STRATEGIC PLAN AD HOC OF SUPERVISORS MCGOURTY AND HASCHAK

Presenter/s: Supervisor Haschak; Supervisor McGourty; Anne Molgaard, Public Health Director/Project Manager for Strategic Planning Process; Gary Hockman, Consultant; BJ Bischoff, Consultant; Carmel J. Angelo, Chief Executive Officer; Izen Locatelli, Chief Probation Officer; and Darcie Antle, Assistant Chief Executive Officer.

Public Comment: Bekkie Emery; Ron Edwards; and Michael Katz.

Board Action: No Action Taken.

BOARD RECESS: 10:35 A.M. – 10:51 A.M.

4A) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF UPDATE FROM INFORMATION TECHNOLOGY STAFF REGARDING THE CRIMINAL JUSTICE SOFTWARE SYSTEM REPLACEMENT PROJECT; AND DIRECTION TO EXECUTIVE OFFICE FISCAL UNIT TO SOURCE THE \$450,000 OF ADDITIONAL FUNDING NEEDED TO COMPLETE THIS PROJECT - SPONSOR: INFORMATION TECHNOLOGY

Presenter/s: Steve Dunncliff, Deputy Chief Executive Officer; and Izen Locatelli, Chief Probation Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors accepts update from Information Technology Staff regarding the Criminal Justice Software System Replacement project; and directs Executive Office Fiscal Unit to work with Chief Locatelli to source the \$450,000 of additional funding needed to complete this project.

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4B) DISCUSSION AND POSSIBLE ACTION TO WAIVE MENDOCINO COUNTY BOARDS AND COMMISSIONS RESIDENCY AND VOTER REGISTRATION REQUIREMENT AND APPOINT JAISON CHAND AS EMS AIRCRAFT PROVIDER REPRESENTATIVE TO THE EMERGENCY MEDICAL CARE COMMITTEE - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Atlas M.A. Pearson, Deputy Clerk of the Board.

Public Comment: None.

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors waives Mendocino County Boards and Commissions residency and voter requirement and appoints Jaison Chand as EMS Aircraft Provider Representative to the Emergency Medical Care Committee. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4C) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF AN INFORMATIONAL PRESENTATION BY THE DEPARTMENT OF PLANNING AND BUILDING SERVICES (PBS) ON CURRENT METRICS AND PROPOSED 2022 WORK PLAN - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Nash Gonzalez, Recovery Director, Planning and Building Services; Adrienne Thompson, Administrative Services Manager, Planning and Building Services; Julia Krog, Assistant Director, Planning and Building Services; and John Burkes, Code Enforcement Officer.

Public Comment: None.

Board Action: No Action Taken.

4D) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF THE 2020 MENDOCINO COUNTY CROP REPORT PRESENTATION FROM THE ASSISTANT AGRICULTURE COMMISSIONER - SPONSOR: AGRICULTURE

Presenter/s: Jim Donnelly, Agriculture Commissioner; and Aaron Hult, Assistant Agriculture Commissioner.

Public Comment: Michael Katz; Ron Edwards; and Hannah Nelson.

Board Action: No Action Taken.

BOARD RECESS: 12:16 P.M. – 12:25 P.M.

ADJOURNED TO CLOSED SESSION: 12:25 P.M.

7A) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT - CHILD SUPPORT DIRECTOR**7B) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - CANNABIS PROGRAM DIRECTOR****7C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION: ONE CASE**

RECONVENED IN OPEN SESSION: 2:15 P.M.

AGENDA ITEM NO. 7 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Williams.

Board Action: With respect to agenda item 7a), the Board appointed Robin Heller as the Child Support Director. With respect to agenda item 7b), no action was taken. With respect to agenda item 7c), direction was given to staff.

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING AUTHORIZATION OF ALLOCATION OF FIFTY THOUSAND DOLLARS (\$50,000) TO THE MENDOCINO COUNTY INLAND WATER AND POWER COMMISSION (MCIWPC) TO CONTINUE THE WORK FOR THE POTENTIAL LICENSING OF THE POTTER VALLEY PROJECT AND OTHER RELATED COSTS - SPONSORS: SUPERVISORS MCGOURTY AND MULHEREN

Presenter/s: Supervisor McGourty; and Supervisor Mulheren.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors authorizes the allocation of fifty thousand dollars (\$50,000) to the Mendocino County Inland Water and Power Commission (MCIWPC) to continue the work of the Potential Licensing Proposal for the Potter Valley Project and other related costs. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4E) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF AN ORDINANCE TERMINATING THE URGENCY MORATORIUM ON COMMENCEMENT OF PHASE THREE CANNABIS CULTIVATION PERMITTING UNDER MENDOCINO COUNTY CODE CHAPTERS 10A.17 AND 20.242 - SPONSORS: COUNTY COUNSEL, PLANNING AND BUILDING SERVICES AND CANNABIS

Presenter/s: Matthew Kiedrowski, Deputy County Counsel; Julia Krog, Assistant Director, Planning and Building Services; and Kristin Nevedal, Director, Cannabis Program.

Public Comment: Monique Ramirez; Michael Katz; and Hannah Nelson.

Board Directive: FORMATION OF AN AD HOC COMMITTEE comprised of Supervisor Gjerde and Mulheren regarding Phase Three Cannabis Cultivation.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors introduces and waives first reading of an ordinance terminating the urgency moratorium on commencement of Phase Three cannabis cultivation permitting under Mendocino County Code Chapters 10A.17 and 20.242; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4F) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF AN UPDATE FROM THE COUNTY OF MENDOCINO CANNABIS PROGRAM - SPONSOR: CANNABIS

Presenter/s: Kristin Nevedal, Director, Cannabis Program.

Public Comment: Monique Ramirez; Hannah Nelson; Ron Edwards; Sam De La Paz; Michael Katz; Corinne Powell; David Silverstone; Susan Tibbon; and Blaire AuClair.

Board Action: No Action Taken.

~~4G) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE~~

Withdrawn.

~~4H) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM – SPONSOR: EXECUTIVE OFFICE~~

Withdrawn.

5D) SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST

Presenter/s: Supervisor Hashcak; and Supervisor Gjerde.

Public Comment: Ron Edwards; and Hannah Nelson.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:25 P.M.

Attest: ATLAS M.A. PEARSON
Deputy Clerk of the Board

TED WILLIAMS, 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

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