

GLENN MCGOURTY
1st District
Supervisor
Chair

MAUREEN MULHEREN
2nd District
Supervisor
Vice-Chair

JOHN HASCHAK
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

TED WILLIAMS
5th District
Supervisor



DARCIE ANTLE
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 – September 12, 2023

**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 9:00 A.M.)

Present: Supervisor Glenn McGourty, Supervisor Maureen Mulheren, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams.

Staff Present: Darcie Antle, Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Senior Deputy Clerk of the Board; and Lillian Bearden, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Supervisor Mulheren.

AGENDA ITEM NO. 2 – PUBLIC EXPRESSION

Presenter/s: Charles Artigs; Amy Wynn; Andrew Skully; Teddy Winslow; Karen Bowers; Roger Abramson; Bill Zimmer; Benjamin Martin; Mark Donegan; Tor Taylor; and Kelli Johnson.

AGENDA ITEM NO. 3 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair McGourty.

Public Comment: None.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that that the Board of Supervisors continues item 3e) to the end of the day for revisions; and Consent Calendar items 3a) – 3d) and 3f) – 3ag) 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) APPROVAL OF MINUTES OF AUGUST 29, 2023 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

3B) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS - SPONSOR: EXECUTIVE OFFICE

Approved;

3C) ADOPTION OF PROCLAMATION RECOGNIZING SEPTEMBER 23, 2023, AS NICOLE MANN DAY IN MENDOCINO COUNTY - SPONSOR: SUPERVISOR HASCHAK

Adopted and Chair is authorized to sign same;

3D) ADOPTION OF PROCLAMATION RECOGNIZING SEPTEMBER 29, 2023, AS CALIFORNIA NATIVE AMERICAN DAY - SPONSOR: SUPERVISOR MCGOURTY

Adopted and Chair is authorized to sign same;

3F) APPROVAL OF AMENDMENT TO BOS AGREEMENT NUMBER 22-249 WITH PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT (PRISM) FOR THE PRISMHEALTH EMPLOYEE BENEFITS PROGRAM, IN THE AMOUNT OF \$0, TO REMOVE THE EXISTING PRISMHEALTH MEMORANDUM OF UNDERSTANDING (MOU) IN THE AGREEMENT, AND REPLACE WITH THE MOST CURRENT PRISMHEALTH MOU, APPROVED BY THE PRISMHEALTH COMMITTEE ON JUNE 28, 2023 – SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Agreement 22-249-A1

3G) APPROVAL OF APPOINTMENTS-IN-LIEU OF ELECTION FOR THE NOVEMBER 7TH, 2023, SPECIAL DISTRICT ALL MAIL ELECTION FOR CASPAR SOUTH WATER DISTRICT, LAYTONVILLE COUNTY WATER DISTRICT, AND THE PACIFIC REEFS WATER DISTRICT; AND FURTHER AUTHORIZING ADDITIONAL APPOINTMENTS OF QUALIFIED PERSONS BE MADE FOR THOSE DISTRICTS THAT DID NOT HAVE THE SUFFICIENT NUMBER OF CANDIDATES - SPONSOR: ASSESSOR/CLERK-RECORDER

Approved;

3H) APPROVAL OF AGREEMENT (FIRST AMENDMENT TO AGREEMENT NO. PA 23-85, MH-23-011) WITH CALIFORNIA PSYCHIATRIC TRANSITIONS, INC., IN THE AMOUNT OF \$180,000, FOR A NEW AGREEMENT TOTAL OF \$230,000, TO PROVIDE RESIDENTIAL CARE TO MENDOCINO COUNTY LANTERMAN-PETRIS-SHORT CLIENTS, EFFECTIVE JULY 1, 2023, THROUGH JUNE 30, 2024 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-157

3I) APPROVAL OF AMENDMENT TO BOS AGREEMENT NO. 23-136 WITH REDWOOD COMMUNITY SERVICES, INC. DBA REDWOOD COMMUNITY CRISIS CENTER, IN THE AMOUNT OF \$195,000, FOR A NEW AGREEMENT TOTAL OF \$260,000, TO PROVIDE AND MONITOR CRISIS ASSESSMENT AND PSYCHIATRIC HOSPITALIZATION AFTERCARE TO INDIVIDUALS WITHIN THE BOUNDARIES OF MENDOCINO COUNTY NOT ELIGIBLE FOR COUNTY MEDI-CAL SERVICES DUE TO HAVING PRIVATE PAY AND/OR MEDICARE INSURANCE, EFFECTIVE JULY 1, 2023 THROUGH A NEW END DATE OF JUNE 30, 2024 (ORIGINAL END DATE: SEPTEMBER 30, 2023) – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-136-A1

3J) APPROVAL OF THIRD AMENDMENT TO BOS AGREEMENT NO. BOS-22-063 WITH REDWOOD COMMUNITY SERVICES, INC., IN THE AMOUNT OF \$660,481, FOR A NEW TOTAL OF \$2,116,068, TO PROVIDE RESIDENTIAL TREATMENT FACILITY OPERATIONS AND CRISIS RESIDENTIAL SERVICES ON A TRANSITIONAL BASIS TO MENDOCINO COUNTY ADULTS, AGES 18 OR OLDER, WHO ARE EXPERIENCING A MENTAL HEALTH CRISIS, EFFECTIVE MARCH 16, 2022, THROUGH A NEW END DATE OF JUNE 30, 2024 (PREVIOUS END DATE: SEPTEMBER 30, 2023) - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-063-A3

3K) APPROVAL OF RETROACTIVE INTERGOVERNMENTAL AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES REGARDING THE IMPLEMENTATION OF AN INTERGOVERNMENTAL TRANSFER BASED PAYMENT METHODOLOGY TO REPLACE THE EXISTING CERTIFIED PUBLIC EXPENDITURE-BASED REIMBURSEMENT METHODOLOGY FOR MEDI-CAL SPECIALTY MENTAL HEALTH SERVICES, FOR THE PERIOD OF JULY 1, 2021, THROUGH DECEMBER 31, 2026 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *23-158

3L) APPROVAL OF RETROACTIVE INTERGOVERNMENTAL AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES REGARDING THE IMPLEMENTATION OF AN INTERGOVERNMENTAL TRANSFER-BASED PAYMENT METHODOLOGY TO REPLACE THE EXISTING CERTIFIED PUBLIC EXPENDITURE-BASED REIMBURSEMENT METHODOLOGY FOR DRUG MEDI-CAL ORGANIZED DELIVERY SYSTEM SERVICES FOR THE PERIOD OF JULY 1, 2023 THROUGH DECEMBER 31, 2026 – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *23-159

3M) ADOPTION OF AN UNCODIFIED ORDINANCE ADOPTING THE MENDOCINO COUNTY SHERIFF’S OFFICE MILITARY EQUIPMENT USE POLICY PURSUANT TO AB 481 AND REVIEW OF MILITARY EQUIPMENT ANNUAL REPORT - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4525

ORDINANCE 4525

UNCODIFIED ORDINANCE TO ADOPT THE MENDOCINO COUNTY SHERIFF’S OFFICE MILITARY EQUIPMENT USE POLICY PURSUANT TO AB 481

3N) APPROVAL OF AGREEMENT (SECOND AMENDMENT TO AGREEMENT NO. PA-23-63) WITH CLIFTONLARSONALLEN LLP, IN THE AMOUNT OF \$50,000 FOR A NEW TOTAL OF \$100,000, FOR FORENSIC AUDIT SERVICES, EFFECTIVE MARCH 3, 2023, THROUGH DECEMBER 31, 2023 – SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-160

3O) APPROVAL OF RETROACTIVE AGREEMENT WITH SHOOK, HARDY & BACON, LLP IN THE AMOUNT OF \$50,000 FOR THE PERIOD OF FEBRUARY 1, 2023, THROUGH JUNE 30, 2024 – SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-161

3P) APPROVAL OF RENEWING THE FINDING MADE IN RESOLUTION NO. 23-145 THAT THE DETERIORATED ROOF STRUCTURE OF THE AGRICULTURE AND FARM ADVISOR BUILDING AND THE IMPENDING INCLEMENT WEATHER CONSTITUTES AN EMERGENCY THAT REQUIRES IMMEDIATE ACTION TO MITIGATE ADDITIONAL DAMAGES OF COUNTY PROPERTY AND THAT THIS EMERGENCY WILL NOT PERMIT A DELAY RESULTING FROM COMPETITIVE SOLICITATION FOR BIDS AND IMMEDIATE ACTION IS NECESSARY TO RESPOND TO THE EMERGENCY AND THERE IS A NEED TO CONTINUE WITH THE CONTRACT TO RESOLVE THE EMERGENCY – SPONSOR: GENERAL SERVICES AGENCY

Approved;

3Q) ADOPTION OF RESOLUTION ADOPTING THE NEW CLASSIFICATION OF EPIDEMIOLOGIST, \$81,473.60 - \$99,028.80/ANNUALLY; AND AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 4010, ADD 1.0 FTE EPIDEMIOLOGIST – SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-152

RESOLUTION NO. 23-152

RESOLUTION OF THE MENDOCINO 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

3R) ADOPTION OF RESOLUTION AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 1810, ADD 1.0 FTE ADMINISTRATIVE ANALYST II \$75,316.80 - \$91,540.80/ANNUALLY AND BUDGET UNIT 2910, DELETE 1.0 FTE PRINCIPAL ADMINISTRATIVE ANALYST, POSITION NUMBER 4383 – SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-153

RESOLUTION NO. 23-153

RESOLUTION OF THE MENDOCINO 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

3S) ADOPTION OF RESOLUTION AMENDING SALARY REVISIONS FOR DEPUTY DISTRICT ATTORNEY I, DEPUTY PUBLIC DEFENDER I, CHILD SUPPORT ATTORNEY I FROM \$76,419.20 - \$92,913.60/ANNUALLY TO \$81,785.60 - \$99,424.00/ ANNUALLY; DEPUTY DISTRICT ATTORNEY II, DEPUTY PUBLIC DEFENDER II, CHILD SUPPORT ATTORNEY II FROM \$86,590.40 - \$105,227.20/ANNUALLY TO \$92,622.40 - \$112,590.40/ANNUALLY; DEPUTY DISTRICT ATTORNEY III, DEPUTY PUBLIC DEFENDER III, CHILD SUPPORT ATTORNEY III FROM \$101,025.60 - \$122,824.00/ANNUALLY TO \$108,097.60 - \$131,414.40 ANNUALLY; DEPUTY DISTRICT ATTORNEY IV, DEPUTY PUBLIC DEFENDER IV, CHILD SUPPORT ATTORNEY IV FROM \$119,121.60 - \$144,830.40/ANNUALLY TO \$127,504.00 - \$154,960.00/ANNUALLY; CHIEF DEPUTY DISTRICT ATTORNEY AND CHIEF DEPUTY PUBLIC DEFENDER FROM \$125,112.00 - \$152,068.80/ANNUALLY TO \$133,848.00 - \$162,718.40/ANNUALLY – SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-154

RESOLUTION NO. 23-154

RESOLUTION OF THE MENDOCINO 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

3T) APPROVAL OF SECOND AMENDMENT TO BOS AGREEMENT NO. 23-027 (THIRD AMENDMENT TO AGREEMENT NO. EO 22-36) WITH AVERO, LLC, DBA, AVERO ADVISORS IN THE AMOUNT OF \$5,000 FOR A NEW TOTAL OF \$105,000 TO PROVIDE ON-CALL TECHNICAL ASSISTANCE SERVICES – SPONSOR: INFORMATION TECHNOLOGY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-027-A2

3U) ACCEPTANCE OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT EM_2023-0003 (MCLELLAN) TO RELOCATE THE SINGLE-FAMILY RESIDENCE, LOCATED AT 34301 PACIFIC REEFS ROAD, ALBION, APN: 123-340-19 – SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

3V) ADOPTION OF AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 18.23, LIMITED DENSITY RURAL DWELLINGS, OF THE MENDOCINO COUNTY CODE – SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4526

ORDINANCE 4526

ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING AMENDMENTS TO CHAPTER 18.23, LIMITED DENSITY RURAL DWELLINGS, OF THE MENDOCINO COUNTY CODE

3W) APPROVAL OF RETROACTIVE AGREEMENT WITH THE MENDOCINO COUNTY TOURISM COMMISSION (MCTC) FOR THE SERVICES, ACTIVITIES, AND PROGRAMS OF THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT (BID) IN THE AMOUNT ESTIMATED AT \$1,250,000 EFFECTIVE JULY 1, 2023 THROUGH JUNE 30, 2024 – SPONSOR: PLANNING AND BUILDING SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-162

3X) APPROVAL OF SECOND AMENDMENT TO BOS AGREEMENT No. 21-167 BETWEEN INTERWEST CONSULTING GROUP AND MENDOCINO COUNTY REVISING THE SCHEDULE OF RATES REFERENCED IN EXHIBIT B FOR PREPARING THE UPDATE OF TITLE 20, DIVISION I (INLAND ZONING ORDINANCE) AND TITLE 17 (DIVISION OF LAND REGULATION) OF THE MENDOCINO COUNTY CODE; AND AUTHORIZE THE PLANNING AND BUILDING SERVICES’ DIRECTOR TO SIGN ANY FUTURE AMENDMENTS TO THE AGREEMENT THAT DO NOT INCREASE THE ANNUAL MAXIMUM AMOUNT – SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Agreement 21-167-A2

3Y) AUTHORIZATION OF ISSUANCE OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT No. CDP_2022-0015 (MARTIN) TO INSTALL A REPLACEMENT ON-SITE SEWAGE DISPOSAL SYSTEM AS A FOLLOW UP APPLICATION TO EXPIRED, EMERGENCY PERMIT EM_2021-0010; LOCATED AT 18725 N Hwy 1, FORT BRAGG, APN 017-140-13 – SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

3Z) ADOPTION OF PROCLAMATION RECOGNIZING SEPTEMBER 17-23 AS CHILD PASSENGER SAFETY WEEK IN MENDOCINO COUNTY – SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

3AA) ADOPTION OF RESOLUTION DELEGATING AUTHORITY TO THE COUNTY OF MENDOCINO CHIEF EXECUTIVE OFFICER OR DESIGNEE TO EXECUTE THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD), PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM APPLICATION, THE PLHA STANDARD AGREEMENT AND ANY SUBSEQUENT AMENDMENTS OR MODIFICATIONS THERETO, AS WELL AS ANY OTHER DOCUMENTS WHICH ARE RELATED TO THE PLHA PROGRAM OR GRANT AWARD – SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-155

RESOLUTION NO. 23-155

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS FOR THE APPLICATION AND ACCEPTANCE OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, PERMANENT LOCAL HOUSING ALLOCATION

3AB) RATIFICATION OF SUBMISSION OF THE GRANT APPLICATION FOR THE 2023-2024 DOMESTIC CANNABIS ERADICATION SUPPRESSION PROGRAM (DCESP) FUNDING FROM THE DEPARTMENT OF JUSTICE DRUG ENFORCEMENT AGENCY (DEA) FOR THE PERIOD OF OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024 – SPONSOR: SHERIFF-CORONER

Approved;

3AC) ADOPTION OF RESOLUTION APPROVING AGREEMENT WITH EMPLOYMENT DEVELOPMENT DEPARTMENT IN THE AMOUNT OF \$75,561, TO PROVIDE JOB DEVELOPMENT SERVICES FOR CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS JOB SERVICES PARTICIPANTS, EFFECTIVE UPON SIGNING THROUGH JUNE 30, 2024 – SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Resolution 23-156; Interim Agreement *23-163

RESOLUTION NO. 23-156

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE AGREEMENT BETWEEN THE STATE OF CALIFORNIA EMPLOYMENT DEVELOPMENT DEPARTMENT AND MENDOCINO COUNTY DEPARTMENT OF SOCIAL SERVICES, CALWORKS JOB SERVICES

3AD) AGREEMENT WITH FORD STREET PROJECT IN THE AMOUNT OF \$103,680, TO PROVIDE VOCATIONAL SERVICES FOR CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS PARTICIPANTS, EFFECTIVE SEPTEMBER 1, 2023, THROUGH JUNE 30, 2024 – SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-164

3AE) APPROVAL OF RETROACTIVE AGREEMENT WITH ANDERSON VALLEY COMMUNITY SERVICES DISTRICT IN THE AMOUNT OF \$66,000, TO SUSTAIN AND SUPPORT EXISTING ADVANCED LIFE SUPPORT AND EMERGENCY MEDICAL SERVICES, EFFECTIVE JULY 1, 2023, THROUGH JUNE 30, 2024 – SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-165

3AF) APPROVAL OF RETROACTIVE AGREEMENT WITH SONOMA COUNTY, IN THE AMOUNT OF \$364,780, TO PROVIDE LOCAL EMERGENCY MEDICAL SERVICES AGENCY ADMINISTRATION SERVICES, EFFECTIVE JULY 1, 2023, THROUGH JUNE 30, 2024 – SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-166

3AG) ADOPTION OF RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER, AS THE MENDOCINO COUNTY WATER AGENCY GENERAL MANAGER, OR THE DIRECTOR OF TRANSPORTATION, TO SUBMIT A GRANT APPLICATION TO CALIFORNIA DEPARTMENT OF WATER RESOURCES TO IMPLEMENT THE MENDOCINO COUNTY DROUGHT RESILIENCE PLAN DEVELOPMENT AND DROUGHT TASK FORCE PARTICIPATION PROJECT, AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE GRANT AGREEMENT AND SIGN ANY OTHER NECESSARY RELATED DOCUMENTS ON BEHALF OF MENDOCINO COUNTY (COUNTYWIDE) – SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-158

RESOLUTION NO. 23-158

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXEMPTING FROM TAXATION CERTAIN PROPERTY WITH AN ASSESSED VALUE OF \$5,000.00 OR LESS

AGENDA ITEM NO. 4 – REGULAR CALENDAR

4A) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF AN ORDINANCE REZONING ASSESSOR'S PARCEL NUMBER (APN) 169-130-77 FROM AGRICULTURAL (AG) TO LIMITED COMMERCIAL (C-1) (R_2022-0001) - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Russell Ford, Senior Planner, Planning and Building Services.

Public Comment: None.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors adopts an Ordinance rezoning APN 169-130-77 from Agricultural (AG) to Limited Commercial (C-1); 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

Enactment No: Ordinance 4527

ORDINANCE NO. 4527

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY

4B) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION OF THE COMMUNICATION AND ENGAGEMENT PLAN FOR THE CITY OF FORT BRAGG LOCAL COASTAL PROGRAM (LCP) GRANT PROJECT - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Sarah McCormick, City of Fort Bragg; and Anna Newman, Noyo Harbor District.

Public Comment: Steve Antler; Roger Abramson; MaryAnn Patrello; and Rosita Poarship.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors accepts the presentation of the Communication and Engagement Plan for the City of Fort Bragg Local Coastal Program (LCP) grant project. 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

BOARD RECESS: 10:09 A.M. – 10:20 A.M.

4c) DISCUSSION AND POSSIBLE ACTION TO DIRECT STAFF TO DEPRIORITIZE ENFORCEMENT OF RESTAURANT TENTS WITHIN COASTAL ZONING FOR 1 YEAR AND FACILITATE COLLABORATION WITH MENDOCINO CITY COMMUNITY SERVICES DISTRICT, MENDOCINO HISTORIC REVIEW BOARD, CALIFORNIA COASTAL COMMISSION AND STATE WATER RESOURCES CONTROL BOARD FOR TENT POLICY WITHIN THE MENDOCINO HISTORIC DISTRICT; AND DIRECTION TO PLANNING AND BUILDING SERVICES TO INFORM THE MENDOCINO HISTORIC REVIEW BOARD THAT THE BOARD OF SUPERVISORS SUPPORTS TENTS WITHIN THE HISTORIC DISTRICT AND ADVISES THEY ARE COMPATIBLE WITH HISTORIC DISTRICT - SPONSOR: SUPERVISOR WILLIAMS

Presenter/s: Supervisor Williams; Julia Krog, Director, Planning and Building Services; and Dennak Murphy, Chair, Mendocino Community Services District.

Public Comment: Scott Ward; Teddi Winslow; Amy Wynn; Tony Graham; Donna Baylis; Bill Zimmer; Skamall Kasias; Meredith Smith; Jeannie Dobbins; Amanda Cruz; Ellen Eaknar; Dennak Murphy; Shera Langroves; Edward Brian; Susan Achilleta; Bob Simmati; Christian Airenger; Adam Gaska; Megan Durbin; Jay Rosenquist; Gowan Batiste; Kerry Derki; and Cali Din.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors directs staff to deprioritize enforcement of restaurant tents within Coastal Zoning for 1 Year and facilitates collaboration with Mendocino City Community Services District, Mendocino Historic Review Board, California Coastal Commission and State Water Resources Control Board for Tent Policy within the Mendocino Historic District; and directs Planning and Building Services to inform the Mendocino Historic Review Board that the Board of Supervisors supports tents within the Historic District and advises they are compatible with Historic District. 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

BOARD RECESS: 11:37 A.M. – 11:43 A.M.

4d) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION REGARDING CARE RESPONSE UNIT BY CHIEF CERVENKA OF THE FORT BRAGG POLICE DEPARTMENT - SPONSORS: SUPERVISOR WILLIAMS AND SUPERVISOR GJERDE

Presenter/s: Chief Cervenka, Fort Bragg Police Department; and Supervisor Williams.

Public Comment: Jan McGourty; Sarah Bodnar; Bernie Norvell; Scott Ward; Amy Wynn; and Flinda Behringer.

Board Action: No Action Taken

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

No: 0 – None

Absent: 0 – None

BOARD RECESS: 12:32 P.M. – 12:58 P.M.

4E) DISCUSSION AND POSSIBLE ACTION TO DIRECT COUNTY COUNSEL TO PREPARE AN URGENCY ORDINANCE AND DECLARATION OF EMERGENCY OR ALTERNATIVE REGARDING CLIMATE CHANGE AND EXEMPT OR PROVIDE WAIVER FOR ROOFTOP SOLAR PANELS FROM PLANNING REVIEW IN ALL ZONING, MAINTAINING BUILDING PERMIT REQUIREMENT; AND DIRECT STAFF TO AUTHOR AND SEND A LETTER REQUESTING THE CALIFORNIA COASTAL COMMISSION REFORM COASTAL ACT IMPLEMENTATION TO EXEMPT SOLAR PANELS - SPONSORS: SUPERVISOR WILLIAMS AND SUPERVISOR GJERDE

Presenter/s: Supervisor Williams; Supervisor Gjerde; and Julia Krog, Director, Planning and Building Services.

Public Comment: Scott Ward; Peter McNamee; Edwar Brian; Amy Wynn; Aviv Kleiman; and Shawn Tumphey.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors directs County Counsel to prepare an Urgency Ordinance and Declaration of Emergency or alternative regarding climate change and exempt or provide waiver for rooftop solar panels from planning review in all zoning, maintaining building permit requirement; and directs staff to author and send a letter requesting the California Coastal Commission Reform Coastal Act implementation to exempt Solar Panels. 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 TO DIRECT PLANNING & BUILDING SERVICES TO EFFECTIVELY EXEMPT LIKE-FOR-LIKE RE-ROOFING APPLICATIONS WITHIN COASTAL ZONE FROM COASTAL DEVELOPMENT PLANNING REVIEW, COORDINATING WITH CALIFORNIA COASTAL COMMISSION ON BEST APPROACH, WHETHER WAIVER, IMMEDIATE LOCAL COASTAL PLAN AMENDMENT, URGENCY ORDINANCE OR ALTERNATIVE - SPONSORS: SUPERVISOR WILLIAMS AND SUPERVISOR GJERDE

Presenter/s: Supervisor Williams; and Julia Krog, Director, Planning and Building Services.

Public Comment: Peter McNamee; Aviv Kleiman; and Amy Wynn.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors directs Planning & Building Services to effectively exempt like-for-like re-roofing applications within Coastal Zone from Coastal Development planning review, coordinates with California Coastal Commission on best approach, whether waiver, immediate Local Coastal Plan amendment, urgency Ordinance or alternative. 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

4G) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF THE BEHAVIORAL HEALTH ADVISORY BOARD 2022 ANNUAL REPORT - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Presenter/s: Flinda Behringer.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors accepts presentation of 2022 Behavioral Health Advisory Board annual report. 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

4H) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING SECTION 15.12.040 OF THE MENDOCINO COUNTY CODE - PARKING, PROHIBITING PARKING ON THE WESTERLY SIDE OF EVERGREEN STREET (COUNTY ROAD 407P) FROM MILE POST 0.00 TO 0.14 (MENDOCINO AREA) - SPONSOR: TRANSPORTATION

Presenter/s: Howard Dashiell, Director, Transportation.

Public Comment: Deidra Lamb.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors introduces and waives first reading of an Ordinance amending Section 15.12.040 of the Mendocino County Code - Parking, prohibiting parking on the westerly side of Evergreen Street (County Road 407P) from milepost 0.00 to 0.14 (Mendocino Area). 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

4I) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING AN INCREASE TO THE TRANSIENT OCCUPANCY TAX FOR VACATION HOME SHORT TERM RENTALS IN MENDOCINO COUNTY - SPONSOR: SUPERVISOR HASCHAK

Presenter/s: Supervisor Haschak; and Darcie Antle, Chief Executive Officer.

Public Comment: Scott Ward; Travis Scott; Deidra Lamb; Susan Lily-Shine; and Christopher Betcher.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors takes no action. The motion carried by the following vote:

Aye: 4 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, and Supervisor Williams

No: 1 – Supervisor Gjerde

Absent: 0 – None

4J) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION EXEMPTING FROM TAXATION CERTAIN PROPERTY WITH AN ASSESSED VALUE OF FIVE THOUSAND DOLLARS (\$5,000) OR LESS - SPONSORS: SUPERVISOR HASCHAK AND ASSESSOR/CLERK-RECORDER

Presenter/s: Supervisor Haschak; and Katrina Bartolomie, Assessor/Clerk-Recorder.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors adopts Resolution exempting from taxation certain property with an assessed value of five thousand dollars (\$5,000) or less; 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

Enactment No:

BOARD RECESS: 2:46 P.M. – 2:58 P.M.

4K) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF CREATION OF AN AMNESTY PROGRAM FOR BUILDING PERMIT PENALTIES; AND DIRECTION TO STAFF TO IMPLEMENT THE AMNESTY PROGRAM FOR A PERIOD NOT TO EXCEED ONE YEAR - SPONSOR: SUPERVISOR HASCHAK

Presenter/s: Supervisor Haschak; and Julia Krog, Director, Planning and Building Services.

Public Comment: Scott Ward.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors approves the creation of an amnesty program for building permit penalties; directs staff to implement the amnesty program for a period not to exceed one year; and directs staff to bring forward an education package for the public explaining the terms for the amnesty program: back taxes may be due, current code standard and zoning code will be required. It is the fees and penalties that are waived. 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

4L) DISCUSSION AND POSSIBLE ACTION INCLUDING THE RESTRUCTURING OF THE ECONOMIC DEVELOPMENT STANDING COMMITTEE - SPONSORS: SPONSOR: SUPERVISOR HASCHAK

Presenter/s: Supervisor Haschak; Christian M. Curtis, County Counsel; and Darcie Antle, Chief Executive Officer.

Public Comment: MaryAnn Portella; Michael Katz; and Peter McNamee.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors dissolves the Economic Development Standing Committee and the Public Health and Safety Resources Committee; and directs County Counsel to return with an item if specific language is needed to dissolve these committees. 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

3E) APPROVAL OF THE BOARD OF SUPERVISORS' AND HUMAN RESOURCES' COMBINED RESPONSE TO THE 2022-2023 GRAND JURY REPORT AND DISBANDING OF THE GRAND JURY AD HOC COMMITTEE FOR THE GRAND JURY REPORT TITLED "ACCOUNTABILITY AT THE COUNTY"; AND DIRECT THE CLERK OF THE BOARD TO RETURN ORIGINAL TO THE COUNTY COUNSEL'S OFFICE FOR SUBMISSION - SPONSORS: SUPERVISOR WILLIAMS, SUPERVISOR GJERDE, AND COUNTY COUNSEL

Presenter/s: Cherie Johnson.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors approves the Board of Supervisors' and Human Resources' combined response to the 2022-23 Grand Jury Report as revised; disbands the Grand Jury Ad Hoc committee for the Grand Jury Report titled "Accountability at the County"; directs the Clerk of the Board to return original to the County Counsel's Office for submission; 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

4M) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE

Withdrawn.

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

Withdrawn.

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

Presenter/s: Supervisor Haschak; Supervisor Mulheren; Supervisor McGourty; Supervisor Williams; and Supervisor Gjerde.

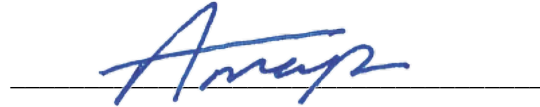
Public Comment: None.

Board Action: No Action Taken.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:13 P.M.

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


GLENN MCGOURTY, Chair



NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes are produced in “action only” format
- LIVE WEB STREAMING OF BOARD MEETINGS is available via the County’s YouTube Channel, which can be found here: <https://www.youtube.com/@MendocinoCountyVideo>
- 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: <https://mendocino.legistar.com/Calendar.aspx>
- For technical assistance or any requests for official meeting records of the Mendocino County Board of Supervisors, please contact the Clerk of the Boards Office at (707) 463-4441
- Additional resource information: <https://www.mendocinocounty.org/government/board-of-supervisors>

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