

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  
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## **MENDOCINO COUNTY BOARD OF SUPERVISORS**

### **ACTION MINUTES – October 17, 2023**

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

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#### **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; Charlotte Scott, Assistant 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:** Charlotte Scott.

**AGENDA ITEM NO. 2 – PUBLIC EXPRESSION**

**Presenter/s:** Scott Ward; David Eyster; Janelle Rau; Mark Donegan; and Carrie Shattuck.

**Board Action:** Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors makes the findings that there is an immediate need to take action, the need arose after the publication of the Agenda, and directs staff to prepare an off-agenda item regarding the Auditor-Controller/Treasurer-Tax Collector to be heard later in the day. 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

**AGENDA ITEM NO. 3 – APPROVAL OF CONSENT CALENDAR**

**Presenter/s:** Chair McGourty.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that that Consent Calendar items 3a) – 3aa), and 5a) 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 SEPTEMBER 26, 2023 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

**3B) APPROVAL OF RECOMMENDED SPECIAL DISTRICT APPOINTMENTS - SPONSOR: EXECUTIVE OFFICE**

Approved;

1. Lisa Wieneke, Mendocino County Water Works District II; and
2. Donna Lemmon, Mendocino County Water Works District II.

**3C) APPROVAL OF RECOMMENDED APPOINTMENTS TO THE SONOMA MENDOCINO ECONOMIC DEVELOPMENT DISTRICT (SMEDD) - SPONSOR: EXECUTIVE OFFICE**

Approved;

1. James M. Mayfield, Director (term ending May 10, 2024);
2. Dr. Timothy Karas, Director (term ending April 1, 2025).

**3D) APPROVAL OF TRANSMISSION OF LETTER OF SUPPORT FOR EMERGENCY OPERATIONS CENTER AND COMMUNITY RESILIENCY CENTER AT THE FORT BRAGG VETERAN'S MEMORIAL HALL - SPONSORS: SUPERVISOR GJERDE AND SUPERVISOR MCGOURTY**

Approved and Chair is authorized to sign same;

**3E) ADOPTION OF PROCLAMATION HONORING THE PUBLIC SERVICE OF DANNIE ORSI, WHO SERVED FOR 60 YEARS AS A VOLUNTEER IN THE FORT BRAGG FIRE DEPARTMENT - SPONSOR: SUPERVISOR GJERDE**

Adopted and Chair is authorized to sign same;

**3F) ACCEPTANCE OF THE ESSENTIAL SERVICES SALES TAX (MEASURE P) ALLOCATION FOR FISCAL YEAR 2022-23, AS PROPOSED BY THE MENDOCINO COUNTY FIRE CHIEFS ASSOCIATION (ATTACHMENT A); APPROVE APPROPRIATION OF \$1,240,888.14 OF FISCAL YEAR 2022-23 ESSENTIAL SERVICES SALES TAX, IN FUND 1240; AND AUTHORIZATION FOR THE CHIEF EXECUTIVE OFFICER OR DESIGNEE TO NEGOTIATE AND ENTER INTO AGREEMENTS WITH FIRE AGENCIES AND THE MENDOCINO COUNTY FIRE SAFE COUNCIL, NOT TO EXCEED THE AMOUNT APPROPRIATED – SPONSOR: EXECUTIVE OFFICE**

Approved;

**3G) ADOPTION OF RESOLUTION RENEWING A DECLARATION OF A LOCAL EMERGENCY RELATED TO TREE MORTALITY - SPONSOR: EXECUTIVE OFFICE**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-167

RESOLUTION NO. 23-167

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO TREE MORTALITY

**3H) APPROVAL OF FIRST AMENDMENT (2ND AMENDMENT OVERALL) TO BOS AGREEMENT No. 22-254 IN THE AMOUNT OF \$30,000 (\$80,000 TOTAL) WITH SONOMA COUNTY FOR LICENSED AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS & MEASURES SERVICES, EFFECTIVE OCTOBER 18, 2022 THROUGH A NEW END DATE OF DECEMBER 31, 2023 (PREVIOUS END DATE: OCTOBER 18, 2023) – EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-254-A1

**3I) APPROVAL OF PURCHASE OF 10 FOLDABLE TABLES FOR THE MENDOCINO COUNTY BEHAVIORAL HEALTH REGIONAL TRAINING CENTER IN THE AMOUNT OF UP TO \$1600.00 USING MEASURE B FUNDS – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES**

Approved;

**3J) APPROVAL OF RETROACTIVE AMENDMENT TO AGREEMENT No. BOS-23-137 WITH REDWOOD QUALITY MANAGEMENT COMPANY DBA ANCHOR HEALTH MANAGEMENT, INC., IN THE AMOUNT OF \$1,300,142, FOR A NEW TOTAL OF \$2,200,142, TO PROVIDE CARE COORDINATION, DATA MANAGEMENT, AND TRANSITION FOR THE DELIVERY OF SPECIALTY MENTAL HEALTH SERVICES IN MENDOCINO COUNTY, 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 23-137-A1

**3K) APPROVAL OF RETROACTIVE AMENDMENT TO BOS AGREEMENT 22-257 WITH TULARE COUNTY OFFICE OF EDUCATION IN THE AMOUNT OF \$19,000 TO IMPLEMENT A CLUB LIVE/FRIDAY NIGHT LIVE CHAPTER FOR THE PERIOD OF JULY 1, 2022, THROUGH JUNE 30, 2024 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-257-A1

**3L) APPROVAL OF RETROACTIVE AMENDMENT TO BOS AGREEMENT No. 22-281 WITH PAULA E. GROVES DBA 4FRONT PARTNERS/ELEVATE IMPACT, IN THE AMOUNT OF \$141,718.45, TO PAY FOR SERVICES FROM DECEMBER 1, 2021, THROUGH DECEMBER 31, 2021, AND JULY 3, 2022, THROUGH FEBRUARY 28, 2023 – SPONSOR: CANNABIS**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-281-A1

**3M) APPROVAL OF PUBLICATION OF MENDOCINO COUNTY LIBRARY 2022-2023 ANNUAL REPORT - SPONSOR: CULTURAL SERVICES AGENCY**

Approved;

**3N) AUTHORIZATION FOR THE MENDOCINO COUNTY LIBRARY TO ACCEPT GRANT AWARD OF \$9,881 FROM THE CALIFORNIA STATE LIBRARY TO PARTICIPATE IN THE ZIP BOOKS PROGRAM AND USE DEDICATED CREDIT CARD FOR GRANT PROGRAM PURCHASES – SPONSOR: CULTURAL SERVICES AGENCY**

Approved;

**3O) 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;

**3P) AUTHORIZATION FOR THE CHIEF EXECUTIVE OFFICER OR DESIGNEE TO PURCHASE SUBSCRIPTION PURCHASING PROGRAM (SPP) CREDITS FROM CDW GOVERNMENT INC. (CDW-G) THROUGH A SOURCEWELL COOPERATIVE AGREEMENT FOR A THREE-YEAR VMWARE CLOUD DISASTER RECOVERY (VCDR) SUBSCRIPTION IN THE AMOUNT OF \$267,000 – SPONSOR: INFORMATION TECHNOLOGY**

Approved;

**3Q) ADOPTION OF RESOLUTION WAIVING BUILDING PERMIT VIOLATION/PENALTY FEES FOR ELIGIBLE AMNESTY BUILDING PERMITS FOR THE PERIOD OF NOVEMBER 1, 2023 TO NOVEMBER 1, 2024 – SPONSOR: PLANNING AND BUILDING SERVICES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-168

**RESOLUTION NO. 23-168**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS WAIVING BUILDING PERMIT VIOLATION/PENALTY FEES FOR ELIGIBLE AMNESTY BUILDING PERMITS BETWEEN NOVEMBER 1, 2023, AND NOVEMBER 1, 2024

**3R) ACCEPTANCE OF THE MENDOCINO COUNTY JUVENILE JUSTICE CRIME PREVENTION ACT - YOUTHFUL OFFENDER BLOCK GRANT 2023 EXPENDITURE AND DATA REPORT – SPONSOR: PROBATION**

Approved;

**3S) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COUNTY AIDS/VIRAL HEPATITIS NETWORK IN THE AMOUNT OF \$125,000, TO PROVIDE HARM REDUCTION SERVICES AND NEEDLE EXCHANGE THROUGHOUT MENDOCINO COUNTY, EFFECTIVE JULY 1, 2023, THROUGH JUNE 30, 2024 – SPONSOR: PUBLIC HEALTH**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-177

**3T) APPROVAL OF AMENDMENT TO BOS AGREEMENT 20-149 WITH ALLIED UNIVERSAL SECURITY SERVICES IN THE AMOUNT OF \$300,000 TO PROVIDE ONGOING SECURITY GUARD SERVICES AT THE MENDOCINO COUNTY COURTHOUSE AND THE FORT BRAGG JUSTICE CENTER EFFECTIVE NOVEMBER 15, 2023 THROUGH NOVEMBER 14, 2024 – SPONSOR: SHERIFF/CORONER**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-149-A1

**3U) APPROVAL OF AMENDMENT TO BOS AGREEMENT 23-081 WITH AXON ENTERPRISE, INC. IN THE AMOUNT OF \$321,829.70 COVERING A FIVE-YEAR PERIOD TO PROVIDE BODY WORN CAMERAS, RELATED EQUIPMENT, AND LICENSING EFFECTIVE UPON SIGNING THROUGH JUNE 30, 2027 – SPONSOR: SHERIFF/CORONER**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-081-A1

**3V) APPROVAL OF AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC., IN THE AMOUNT OF \$277,000 TO PROVIDE HOUSING AND SERVICES TO ASSIST EMANCIPATED FORMER FOSTER/PROBATION YOUTH AND YOUNG ADULTS, BETWEEN THE AGES OF 18 TO THEIR 25TH BIRTHDAY, FOR DEPARTMENT OF SOCIAL SERVICES, FAMILY AND CHILDREN'S SERVICES, EFFECTIVE UPON FULL EXECUTION THROUGH JUNE 30, 2024 – SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-178

**3W) APPROVAL OF RETROACTIVE THIRD AMENDMENT TO AGREEMENT NO. BOS-20-116 (SIXTH AMENDMENT TO AGREEMENT NO. PA-18-351, SS-19-063) WITH WELLSKY CORPORATION, IN THE AMOUNT OF \$56,800, FOR A NEW TOTAL OF \$285,835, TO PROVIDE SUBSCRIPTION SERVICES FOR THE HOMELESS MANAGEMENT INFORMATION SYSTEM, EFFECTIVE JULY 1, 2019, THROUGH A NEW END DATE OF JUNE 30, 2024 (ORIGINAL END DATE: JUNE 30, 2023) – SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-116-A3

**3X) ACCEPTANCE OF INFORMATIONAL UPDATE BY DEPARTMENT OF TRANSPORTATION ON TOWN OF MENDOCINO PUBLIC STREETSIDE LITTER CONTAINERS; AND APPROVAL OF AMENDMENT TO COUNTY POLICY NUMBER 14 "ENCROACHMENT PERMITS", ADDING PROVISIONS FOR AN ADOPT-A-CAN PROGRAM (TOWN OF MENDOCINO AND HOPLAND AREAS) – SPONSOR: TRANSPORTATION/SOLID WASTE**

Approved;

**3Y) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 220019, WITH GHD, INC., IN THE AMOUNT OF \$205,851, FOR PROFESSIONAL ENGINEERING DESIGN SERVICES, AND AUTHORIZING AN ADDITIONAL CONTINGENCY AMOUNT OF \$20,585, FOR THE HILL ROAD BRIDGE REPLACEMENT OVER MILL CREEK, COUNTY ROAD 327B, MILEPOST 2.05 (COVELO AREA) – SPONSOR: TRANSPORTATION/SOLID WASTE**

Adopted and Chair is authorized to sign same;

Enactment No: Agreement 23-179; Resolution 23-169

RESOLUTION NO. 23-169

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 220019, WITH GHD, INC., IN THE AMOUNT OF \$205,851, FOR PROFESSIONAL ENGINEERING DESIGN SERVICES, AND AUTHORIZING AN ADDITIONAL CONTINGENCY AMOUNT OF \$20,585, FOR THE HILL ROAD BRIDGE REPLACEMENT OVER MILL CREEK, COUNTY ROAD 327B, MILEPOST 2.05 (COVELO AREA)

**3Z) ADOPTION OF RESOLUTION APPROVING SECOND AMENDMENT TO BOS AGREEMENT 22-201/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 220007, WITH GHD, INC., FOR ALLOCATION 2 - PLANS, SPECIFICATIONS, AND ESTIMATE, IN THE AMOUNT OF \$1,679,676, FOR THE NORTH STATE STREET INTERSECTION IMPROVEMENTS PHASE 1 PROJECT, COUNTY ROAD 104 (UKIAH AREA) – SPONSOR: TRANSPORTATION/SOLID WASTE**

Adopted and Chair is authorized to sign same;

Enactment No: Agreement 22-201A1; Resolution 23-170

RESOLUTION NO. 23-170

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NUMBER 2 TO BOARD OF SUPERVISORS AGREEMENT NUMBER 22-201/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 220007, WITH GHD INC., FOR ALLOCATION 2 - PLANS, SPECIFICATIONS, AND ESTIMATE, IN THE AMOUNT OF \$1,679,676, FOR THE NORTH STATE STREET INTERSECTION IMPROVEMENTS PHASE 1 PROJECT, COUNTY ROAD 104 (UKIAH AREA)

**3AA) ADOPTION OF RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING SUBMISSION OF A GRANT APPLICATION FOR THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) AIRPORT IMPROVEMENT PROGRAM (AIP) MATCHING GRANT FOR UPDATING THE AIRPORT PAVEMENT MANAGEMENT PLAN (APMP) FOR THE ROUND VALLEY AIRPORT AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO ACCEPT THE GRANT AND EXECUTE THE GRANT AGREEMENT ON BEHALF OF MENDOCINO COUNTY (COVELO AREA) – SPONSOR: TRANSPORTATION/SOLID WASTE**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-171

RESOLUTION NO. 23-171

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING SUBMISSION OF A GRANT APPLICATION FOR THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AIRPORT IMPROVEMENT PROGRAM MATCHING GRANT FOR UPDATING THE AIRPORT PAVEMENT MANAGEMENT PLAN FOR THE ROUND VALLEY AIRPORT AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO ACCEPT THE GRANT AND EXECUTE THE GRANT AGREEMENT ON BEHALF OF MENDOCINO COUNTY (COVELO AREA)

**5A) ADOPTION OF RESOLUTION GRANTING PERMISSION FOR THE GUALALA LIONS CLUB TO HOLD A PARADE ON SATURDAY, NOVEMBER 25, 2023, BETWEEN 6 P.M. AND 7 P.M. ALONG CALIFORNIA STATE HIGHWAY 1 AND PROCEEDING SOUTH FROM MILE MARKER 1.64 TO 0.76 – SPONSOR: SUPERVISOR WILLIAMS**

Adopted and Chair is authorized to sign same.

Enactment No: Resolution 23-172

RESOLUTION NO. 23-172

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REQUESTING THAT THE CALIFORNIA DEPARTMENT OF TRANSPORTATION GRANT ITS PERMISSION FOR THE GUALALA LIONS CLUB LIGHTED TRUCK PARADE IN GUALALA, CA PURSUANT TO THE DEPARTMENT OF TRANSPORTATION AND CALIFORNIA HIGHWAY PATROL'S JOINING POLICY GUIDELINES FOR SPECIAL EVENTS ON STATE CONVENTIONAL HIGHWAY RIGHTS-OF-WAYS

*BOARD RECESS: 10:03 A.M. – 10:10 A.M.*

**AGENDA ITEM NO. 4 – REGULAR CALENDAR**

**4D) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF RECOMMENDATION RELATED TO THE OUTCOME OF THE SUBSTANCE USE SERVICES REQUEST FOR PROPOSAL (RFP) #018-23 FOR INNOVATIVE CONTINUUM OF CARE PROGRAMS FOR YOUTH AND/OR ADULTS TO HELP CLIENTS ACHIEVE AND MAINTAIN SOBRIETY; AND POSSIBLE DIRECTION TO STAFF TO DEVELOP A CONTRACT FOR ALL OR PART OF THE REQUESTED AMOUNT - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES**

**Presenter/s:** Chair McGourty; Charlotte Scott, Assistant County Counsel; Darcie Antle, Chief Executive Officer; and Matthew Kendall, Sheriff-Coroner.

**Public Comment:** Jackie Williams.

**Board Directive:** FORMATION OF AN AD HOC COMMITTEE comprised of Supervisor Mulheren and Supervisor Haschak to look into the contract with ford street to ensure that services provided at the location be available to all county residents, determine actual cost of the project, gather the balance of available Measure B funds, and what portion of said Measure B funds may be used for the new jail wing and report back at the October 31, 2023 Board of Supervisors meeting.

**Board Action:** No Action Taken.

**4A) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION OF THE LIBRARY ADVISORY BOARD'S ANNUAL REPORT - SPONSOR: CULTURAL SERVICES AGENCY**

**Presenter/s:** Barbra Chapman, Acting Director, General Services Agency; Carolyn Schneider, Chair, Library Advisory Board; Darcie Antle, Chief Executive Officer; Charlotte Scott, Assistant County Counsel; Michele Savoy, Secretary, Library Advisory Board; and Olga O'Neill, Co-Chair, Library Advisory Board.

**Public Comment:** None.

**Board Action:** No Action Taken.

~~**4B) DISCUSSION AND POSSIBLE ACTION INCLUDING RATIFICATION OF EMPLOYMENT AGREEMENT WITH DORIS L. RENTSCHLER FOR THE POSITION OF EXECUTIVE DIRECTOR, MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION FOR THE TERM OF OCTOBER 17, 2023 THROUGH OCTOBER 17, 2026, INCLUDING THE FOLLOWING SALARY INCREASES BASED ON EMPLOYEE'S CURRENT SALARY OF \$173,138 (ESTIMATION OF SALARY WITH BENEFITS \$294,334): 3% INCREASE OF CURRENT SALARY EFFECTIVE THE FIRST FULL PAY PERIOD FOLLOWING RATIFICATION OF THE EMPLOYMENT AGREEMENT BY THE BOARD OF SUPERVISORS, A 2.5% INCREASE OF THE THEN EXISTING SALARY ONE YEAR AFTER RATIFICATION, AND A 2.5% INCREASE OF THE THEN EXISTING SALARY TWO YEARS AFTER RATIFICATION - SPONSOR: MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION**~~

Withdrawn.

**4C) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION REGARDING APPEAL OF THE ZONING ADMINISTRATOR'S ACTION APPROVING THE NAME LINCOLN RIDGE ROAD FOR A PRIVATE ROAD SERVING APPROXIMATELY 17 PARCELS IN THE WESTPORT AREA, CURRENTLY KNOWN AS SEAVIEW DRIVE - SPONSOR: PLANNING AND BUILDING SERVICES**

**Presenter/s:** Julia Krog, Director, Planning and Building Services; Russel Ford, Senior Planner; Planning and Building Services; Sally Griggs, Applicant; Sunny Griggs, Applicant; Brian Monson, Applicant Attorney; Matthew Kiedrowski, Deputy County Counsel.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Gjerde, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors approves the appeal; directs Howard Creek Ranch Inn retain its street address of 40501 N. Highway 1, and the remaining parcels are renamed Lincoln Ridge Road as originally recommended by county staff; and directs staff bring back an administrative process that allows staff to make exceptions for Planning Appeals that allow properties that are abutting an existing road, that already have an existing street address, can be approved for an exception administratively by staff.

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

No: 0 – None

Absent: 0 – None

**Board Action:** Upon motion by Supervisor Gjerde, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors issues a refund to the applicants for the processing fees associated with the appeal. 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: 11:32 A.M. – 11:45 A.M.**

**4E) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING CHAPTERS 20.118 AND 20.119 OF THE MENDOCINO COUNTY CODE TO AMEND THE PROCEDURES TO ESTABLISH OR MODIFY CANNABIS ACCOMMODATION AND COMMERCIAL CANNABIS PROHIBITION DISTRICTS AND ELIMINATE THE LISTING OF INDIVIDUAL DISTRICTS - SPONSORS: COUNTY COUNSEL AND PLANNING AND BUILDING SERVICES**

**Presenter/s:** Matthew Kiedrowski, Deputy County Counsel; Julia Krog, Director, Planning and Building Services.

**Public Comment:** Michael Katz; Paul Hansbury; Michael Strupp; David A.

**Board Action:** Upon motion by Supervisor Haschak, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors directs staff to come back with an amended ordinance that states neighbors may petition to be included in an opt-in/out zone, but may not be re-examined for 10 years after the Board has decided on the case. The motion failed by the following vote:

Aye: 2 – Supervisor Haschak, and Supervisor Gjerde

No: 3 – Supervisor McGourty, Supervisor Mulheren, and Supervisor Williams

Absent: 0 – None

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors introduces and waives first reading of an ordinance amending Chapters 20.118 and 20.119 of the Mendocino County Code to amend the procedures to establish or modify Cannabis Accommodation and Commercial Cannabis Prohibition districts and eliminate the listing of individual districts; create a redline that includes the Mendocino Cannabis Alliance feedback in the Ordinance; and refer the redline to the Mendocino County Planning Commission. The motion failed by the following vote:

Aye: 2 – Supervisor Mulheren, and Supervisor Williams

No: 3 – Supervisor McGourty, Supervisor Haschak, and Supervisor Gjerde

Absent: 0 – None

**Board Action:** Upon motion by Supervisor McGourty, seconded by Supervisor Gjerde, IT IS ORDERED that staff are directed to bring back an amended Ordinance Chapters 20.118 and 20.119 of the Mendocino County Code with the following changes: Supervisors are to work with petitioner and take a position on opt-in/out; once the Supervisor has come to a decision, there will be a 10 year waiting period before the same properties can be petitioned for opt in/out; only petitioners who can cultivate on their properties will be able to participate in the opt-out zone petition. The motion carried by the following vote:

Aye: 3 – Supervisor McGourty, Supervisor Haschak, and Supervisor Gjerde

No: 2 – Supervisor Mulheren, and Supervisor Williams

Absent: 0 – None

*BOARD RECESS: 12:33 P.M. – 12:45 P.M.*

**~~4F) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE~~**

Withdrawn.

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

Withdrawn.

**AGENDA ITEM NO. 6 – CLOSED SESSION**

**Presenter/s:** Chair McGourty.

**Public Comment:** None.

*ADJOURNED TO CLOSED SESSION: 1:00 P.M.*

**6A) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: DARCIE ANTLE AND CHERIE JOHNSON; EMPLOYEE ORGANIZATION(S): ALL**

**6B) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT – AGRICULTURAL COMMISSIONER/SEALER OF WEIGHTS AND MEASURES**

**6C) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT - ACTING COUNTY LIBRARIAN**

**6D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION: ONE CASE**

*RECONVENED IN OPEN SESSION TO HEAR ITEM 5B: 3:00 P.M.*

**AGENDA ITEM NO. 5 – MODIFICATIONS TO AGENDA**

**5B) OFF AGENDA ITEM: DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION SUSPENDING AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR CHAMISE CUBBISON FROM HER POSITION WITHOUT SALARY AND BENEFITS; AND APPOINTMENT OF ACTING AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR, PURSUANT TO GOVERNMENT CODE 27120 – SPONSOR: CHAIR MCGOURTY**

**Presenter/s:** Morin Jacob, Outside Counsel.

**Public Comment:** Carrie Shattuck.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors makes the findings that there is an immediate need to take action, the need arose after the publication of the Agenda, and adds off-agenda item 5b to the agenda. 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 Action:** Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors adopts Resolution suspending Auditor-Controller/Treasurer-Tax Collector Chamise Cubbison from her position without salary and benefits; appoints Sara Pierce as the acting Auditor-Controller-Treasurer-Tax Collector, pursuant to Government Code 27120; 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: Resolution 23-173

**RESOLUTION NO. 23-173**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SUSPENDING AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR CHAMISE CUBBISON WITHOUT SALARY AND BENEFITS, AND FOR APPOINTMENT OF ACTING AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

**AGENDA ITEM NO. 6 – CLOSED SESSION**

*ADJOURNED BACK TO CLOSED SESSION: 3:15 P.M.*

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

**AGENDA ITEM NO. 6 – REPORT OUT OF CLOSED SESSION**

**Presenter/s:** Chair McGourty.

**Board Action:** With respect to items 6a), and 6b), direction was given to staff. With respect to item 6c), Melissa Hannum has been appointed as Acting County Librarian. With respect to agenda item 6d), no reportable action was taken.

**4H) SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST**

**Presenter/s:** Supervisor Gjerde; Supervisor Haschak; and Supervisor McGourty.

**Public Comment:** Peter McNamee.

**Board Action:** FORMATION OF AD HOC COMMITTEE comprised of Supervisors Haschak and Gjerde to investigate and return to the full Board with ideas on how public policy can address gas station closures.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 3:53 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***