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DARCIE ANTLE
CHIEF EXECUTIVE OFFICER
CLERK OF THE BOARD

CHRISTIAN M. CURTIS
COUNTY COUNSEL

MENDOCINO COUNTY
BOARD OF SUPERVISORS AGENDA
REGULAR MEETING
February 7, 2023 - 9:00 AM

This meeting will take place in the Board of Supervisors Chambers, at 501 Low Gap Road, Ukiah, California, and virtual attendance will be available via Zoom (pursuant to Government Code section 54953(e)(1)(A)). Meetings are live streamed and available for viewing online on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo> or by toll-free, telephonic live stream at 888-544-8306.

The public may participate digitally in meetings in lieu of personal attendance. Written comment can be submitted using our online eComment platform at <https://mendocino.legistar.com/Calendar.aspx>, or by joining the Zoom Webinar and using the "raise hand" feature when Public Comment is called. For details and a complete list of the latest available options by which to engage with agenda items, please visit: <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>

Zoom Webinar ID: 895 0911 1749
Zoom Phone Number (if joining via telephone): 1 669 900 9128

1. OPEN SESSION (9:00 A.M.)

The Mendocino County Board of Supervisors meets concurrently as the Board of Directors of the: In Home Supportive Services Public Authority Governing Board; Mendocino County Air Quality Management District; Mendocino County Public Facilities Corporation; and the Mendocino County Water Agency.

1a) Roll Call

1b) Pledge of Allegiance

2. PUBLIC EXPRESSION

Members of the public are welcome to address the Board on items not listed on the agenda, but within the jurisdiction of the Board of Supervisors. The Board is prohibited by law from taking action on matters not on the agenda.

Individuals wishing to address the Board under Public Expression are welcome to do so via email, telephone, Zoom, or via voicemail message. For information on each of these methods, call Mendocino County Clerk of the Board at (707) 463-4441 or visit <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>.

All correspondence will be attached to the item and made available online at: <https://mendocino.legistar.com/Calendar.aspx>.

3. CONSENT CALENDAR

The Consent Calendar is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Calendar for individual consideration.

See section at the end of this document for the full listing of Consent items.

4. REGULAR CALENDAR

- 4a) **Discussion and Possible Action Including Acceptance of a Presentation Regarding the Pacific Gas and Electric Fund Allocation to the Emergency Medical Care Committee to Support and Enhance Emergency Medical Care Services Throughout Mendocino County; and Approval of Retroactive Agreement with Sonoma County in the Amount of \$343,358.00 for the Provision of Emergency Medical Services (EMS) Administration in Mendocino County for Fiscal Year 2022-2023 (Sponsor: Social Services)**

Recommended Action:

Accept presentation regarding Pacific Gas and Electric Fund Allocation to the Emergency Medical Care Committee to support and enhance Emergency Medical Care services throughout Mendocino County; and approve retroactive Agreement with Sonoma County in the amount of \$343,358.00 for the provision of Emergency Medical Services (EMS) administration in Mendocino County for Fiscal Year 2022-2023.

Attachments: [Interim Agreement *23-022](#)
[Mendocino County EMS Presentation 02-07-2023](#)

- 4b) **Discussion and Possible Action Including Approval of Retroactive Intergovernmental Agreement No. 21-10198, Effective January 1, 2021, through June 30, 2024, with the California Department of Health Care Services Regarding the Transfer of \$1,879,532 Public Funds for Actual Health Plan Enrollments During the Service Period of January 1, 2021, through December 31, 2021; and Approval of Appropriation Transfer of Funds Increasing Authority in the 2000 Series in Organizational Code IG for the Full Governmental Transfer Amount and Assessment Fee, and Decreasing Object Code 82-5341 by \$784,000 in Order to Increase Object Code 86-2239 by \$784,000 for Special Department Expenses (Sponsor: Public Health)**

Recommended Action:

Approve retroactive Intergovernmental Agreement No. 21-10198, effective January 1, 2021, through June 30, 2024, with the California Department of Health Care Services regarding the transfer of \$1,879,532 public funds for actual health plan enrollments during the service period of January 1, 2021, through December 31, 2021; approve Appropriation Transfer of Funds increasing authority in the 2000 series in organizational code IG for the full governmental transfer amount and assessment fee, and decreasing object code 82-5341 by \$784,000 in order to increase object code 86-2239 by \$784,000 for special department expenses; and authorize the Public Health Director or designee to sign any future amendments to the Agreement that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: [Agreement 23-023](#)

[IGT Appropriation - Signed](#)

[21-10198 County of Mendocino CY 2021 invoice](#)

[IGT CY 2021 County of Mendocino AM Signed.docx](#)

- 4c) **Discussion and Possible Action Regarding the Handling of Vegetation Modification in Connection with Applications for Commercial Cannabis Cultivation Under Mendocino County Code Chapter 10A.17 (Sponsor: County Counsel and Cannabis)**

Recommended Action:

Provide direction regarding a potential ordinance amendment for the handling of vegetation modification in connection with applications for commercial cannabis cultivation under Mendocino County Code Chapter 10A.17.

Attachments: [Staff Report Tree Removal](#)

[02-06-23 BOS Tree Clearing Scenarios](#)

- 4d) **Discussion and Possible Action Including Approval of Agreement with Larson LLP in the Amount of \$25,000 for Legal Opinion Regarding Federal Implications Associated with Mendocino County Cannabis Local Equity Grant Program, Effective Upon Signing Through June 30, 2023**
(Sponsor: County Counsel)

Recommended Action:

Approve agreement with Larson LLP in the amount of \$25,000 for legal opinion regarding federal implications associated with Mendocino County Cannabis Local Equity Grant Program, effective upon signing through June 30, 2023; and authorize Chair to sign same.

Attachments: [Larson LLP Agreement](#)

[Larson, Stephen - Biography](#)

[Larson, Stephen - CV](#)

[Potashner, Hilary - Biography](#)

[Potashner, Hilary - CV](#)

- 4e) **Chief Executive Officer's Report**
(Sponsor: Executive Office)

Recommended Action:

Accept the Chief Executive Officer's report.

- 4f) **Discussion and Possible Action Including Review, Adoption, Amendment, Consideration or Ratification of Legislation Pursuant to the Adopted Legislative Platform**
(Sponsor: Executive Office)

Recommended Action:

Provide direction to staff on matters of legislation.

Attachments: [02-08-23 Letter of Support - Superheat Long-Duration Energy Storage](#)

- 4g) **Supervisors' Reports Regarding Board Special Assignments, Standing and Ad Hoc Committee Meetings, and Other Items of General Interest**

5. MODIFICATIONS TO AGENDA

Items added to the agenda subsequent to agenda publication, up to 72 hours in advance of the meeting, pursuant to Government Code section 54954.

6. CLOSED SESSION

Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1.

3. CONSENT CALENDAR - CONTINUED

The Consent Calendar is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Calendar for individual consideration.

ITEMS RECOMMENDED FOR APPROVAL:

MINUTES**3a) Approval of Minutes of January 24, 2023 Regular Meeting**

Recommended Action:

Approve minutes of the January 24, 2023 regular meeting.

Attachments: [01-24-23 Minutes](#)
[01-24-23 Minutes - DRAFT](#)

APPOINTMENTS**3b) Approval of Recommended Appointments/Reappointments**

Recommended Action:

1. *Sherrie Ebyam, Third District Representative, Civil Service Commission;*
2. *Rebecca Montes, Mendocino College Representative, Museum Advisory Board;*
3. *Roy Helsing, Pilot, Little River Airport Advisory Committee;*
4. *Sally Grigg, Alternate Member, Westport Municipal Advisory Council;*
5. *Allison Pernell, Third District Representative, Mendocino County Planning Commission;*
6. *Cindi Wagner, At-Large Member, Mendocino County Business Improvement District; and*
7. *Bekkie Emery, County Representative, First 5 Mendocino;*

Attachments: [Ebyam Application](#)
[Montes Application](#)
[Helsing Application](#)
[Grigg Application](#)
[Pernell Application](#)
[Wagner Application](#)
[Emery Application](#)

EXECUTIVE OFFICE

3c) 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

Recommended Action:

Adopt 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; and authorize Chair to sign same.

Attachments: [Resolution 23-025](#)
[Resolution](#)
[Resolution \(PDF\)](#)

3d) Adoption of Resolution Renewing a Declaration of a Local Emergency Related to Tree Mortality

Recommended Action:

Adopt Resolution renewing a declaration of a Local Emergency related to Tree Mortality; and authorize Chair to sign same.

Attachments: [Resolution 23-026](#)
[Resolution](#)
[Resolution \(PDF\)](#)

3e) Authorization for the Transfer of Funds in the Amount of \$197,954.43 from the Miscellaneous Trust to Disburse Funds to the Probation Department in the Amount of \$184,814.23 and to the Public Defender in the Amount of \$13,140.20, per AB 1869 Fee Backfill Allocation FY 2021-22

Recommended Action:

Authorize transfer of funds in the amount of \$197,954.43 from the Miscellaneous Trust to disburse funds to the Probation Department in the amount of \$184,814.23 and to the Public Defender in the amount of \$13,140.20, per AB 1869 Fee Backfill Allocation FY 2021-22.

Attachments: [Probation Fines-Fees Revenue History.pdf](#)

AIR QUALITY MANAGEMENT DISTRICT

- 3f) **Approval of Retroactive Memorandum of Understanding (MOU) with Lake County Air Quality Management District, for Interim Air Pollution Control Officer Services, with a Term from January 31, 2023, through July 31, 2023, with a Total Cost of Up to \$28,284**

Recommended Action:

Approve retroactive MOU with Lake County Air Quality Management District for Interim Air Pollution Control Officer services, with a term from January 31, 2023, through July 31, 2023, with a total cost of up to \$28,284; and authorize Chair to sign same.

Attachments: [Agreement 23-019](#)

AUDITOR-CONTROLLER TREASURER-TAX COLLECTOR

- 3g) **Adoption of Ordinance Delegating Authority to Invest or Reinvest the Funds of the County and its Other Depositors in the County Treasury to the Treasurer for Calendar Year 2023**

Recommended Action:

Adopt ordinance delegating authority to invest or reinvest the funds of the County and its other depositors in the County Treasury to the Treasurer for calendar year 2023; and authorize Chair to sign same.

Attachments: [Ordinance 4517](#)

[ORDINANCE - DELEGATING AUTHORITY 2023](#)

[ORDINANCE SUMMARY - DELEGATION](#)

[STAFF REPORT - DELEGATING AUTHORITY 2023](#)

BEHAVIORAL HEALTH AND RECOVERY SERVICES

- 3h) **Approval of Agreement with Consolidated Tribal Health Project in the Amount of \$107,000 to Provide Mental Health Services Act Funded Programs That Meet the Requirements of Prevention and Early Intervention and Community Services and Supports, Effective Upon Full Execution through June 30, 2023**

Recommended Action:

Approve Agreement with Consolidated Tribal Health Project in the amount of \$107,000 to provide Mental Health Services Act funded programs that meet the requirements of Prevention and Early Intervention and Community Services and Supports, effective upon full execution through June 30, 2023; authorize Behavioral Health and Recovery Services Director or designee to sign any amendments that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [Agreement 23-020](#)

- 3i) **Approval of Amendment to BOS Agreement No. 22-125 with Crestwood Behavioral Health, Inc. in the Amount of \$300,000, for a New Agreement Total of \$650,000 to Provide Residential Care to Mendocino County Lanterman-Petris-Short Clients, Effective Upon Full Execution, through June 30, 2023**

Recommended Action:

Approve Amendment to BOS Agreement No. 22-125 with Crestwood Behavioral Health, Inc. in the amount of \$300,000, for new Agreement total of \$650,000, to provide residential care to Mendocino County Lanterman-Petris-Short clients, effective upon full execution, through June 30, 2023; authorize the Behavioral Health and Recovery Services Director to sign any future amendments that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [Agreement 22-125-A1](#)

[Crestwood Behavioral Health, \\$350,000, 22-23, BHRS MH, BOS 22-125](#)

- 3j) **Approval of Amendment to BOS Agreement No. 22-131 with Vista Pacifica Center in the Amount of \$130,000, for a New Agreement Total of \$300,000, to Provide Residential Care to Mendocino County Lanterman-Petris-Short Clients, Effective Upon Full Execution, through June 30, 2023**

Recommended Action:

Approve Amendment to BOS Agreement No. 22-131 with Vista Pacifica Center in the amount of \$130,000, for new Agreement total of \$300,000, to provide residential care to Mendocino County Lanterman-Petris-Short clients, effective upon full execution, through June 30, 2023; authorize the Behavioral Health and Recovery Services Director to sign any future amendments that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [Agreement 22-131-A1](#)

[Vista Pacifica Center, \\$170,000, 22-23, BHRS MH, BOS 22-131](#)

- 3k) **Approval of Amendment to BOS Agreement No. 22-132 with Willow Glen Care Center in the Amount of \$455,000 for a New Agreement Total of \$755,000, to Provide Residential Care to Mendocino County Lanterman-Petris-Short Clients, Effective Upon Full Execution, through June 30, 2023**

Recommended Action:

Approve Amendment to BOS Agreement No. 22-132 with Willow Glen Care Center in the amount of \$455,000 for a new Agreement total of \$755,000, to provide residential care to Mendocino County Lanterman-Petris-Short clients, effective upon full execution, through June 30, 2023; authorize the Behavioral Health and Recovery Services Director or designee to sign any future amendments that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [Agreement 22-132-A1](#)

[Willow Glen Care Center, \\$300,000, 22-23, BHRS MH, BOS 22-132](#)

[Willow Glen Care Center, \\$300,000, 22-23, BHRS MH BOS approval \(1\)](#)

- 3l) **Approval of Retroactive Agreement with Tulare County Office of Education in the Amount of \$30,000, for Friday Night Live Affiliated Grant Expenditures Using Substance Abuse Prevention Block Grant Funds, Effective May 1, 2022, through June 30, 2023**

Recommended Action:

Approve retroactive Agreement with Tulare County Office of Education in the amount of \$30,000, for Friday Night Live affiliated grant expenditures using Substance Abuse Prevention Block Grant funds, effective May 1, 2022, through June 30, 2023; authorize the Behavioral Health and Recovery Services Director or designee to sign Amendments that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: [Agreement 23-021](#)

[Tulare County Superintendent of Schools, \\$19,000, 22-23, BHRS SUDT, BOS 22-257, Approved BAS](#)

[Tulare County Office of Education, \\$11,000, 21-22, BHRS, BOS 22-055](#)

COUNTY COUNSEL

3m) Adoption of Resolution Authorizing the Examination of Sales or Transactions and Use Tax Records

Recommended Action:

Adopt resolution authorizing examination of sales or transactions and use tax records; and authorize Chair to sign same.

Attachments: [Resolution 23-027](#)

[Resolution Authorizing Examination of Sales or Transactions and Use Tax Records](#)

3n) Acceptance of Update on County Public Records Act Fees

Recommended Action:

Accept update on County Public Records Act fees.

Attachments: [2022-10-05 PRA Memo with Attachments](#)

[2023-02-02 PRA Fee Staff Report](#)

[Consolidated Correspondence](#)

3o) Approval of Amendment to BOS Agreement 21-165 with Abbott & Kindermann, Inc. in the Amount of \$0, Extending the End Date from December 31, 2022 to December 31, 2023

Recommended Action:

Approve amendment to BOS agreement 21-165 with Abbott & Kindermann, Inc. in the amount of \$0, extending the end date from December 31, 2022 to December 31, 2023; and authorize Chair to sign same.

Attachments: [Agreement 21-165-A3](#)

[Agreement 21-165-A1-2nd Amendment](#)

[Abbott & Kindermann-Bella Vista 1st Amendment](#)

[Agreement 21-165](#)

CULTURAL SERVICES AGENCY

- 3p) **Authorization for Facilities and Fleet Division Manager to Establish a Capital Improvement Project to Replace the Willits Branch Library's Roof and Install Alternative Energy Panels and Battery Back-up in the Amount of \$494,080; and Authorization for the Facilities and Fleet Division Manager to Act as Project Manager to Enter Contracts and Approve Change Orders for the Project, Pursuant to Public Contract Code Section 20142**

Recommended Action:

Authorize Facilities and Fleet Division Manager to establish a capital improvement project to replace the Willits Branch Library's roof and install alternative energy panels and battery back-up in the amount of \$494,080; and authorize Facilities Fleet Division Manager to act as Project Manager to enter contracts and approve change orders for the project, pursuant to Public Contract Code Section 20142.

Attachments: [Resolution 22-229](#)

[Willits Branch Library-- Award Letter](#)

GENERAL SERVICES AGENCY

- 3q) **Approval of Renewing the Finding Made in Resolution No. 22-247 that the Deteriorating Condition of the Administration Center Server Room Cooling System Constitutes an Emergency that Requires Immediate Action to Prevent or Mitigate the Loss or Impairment of County Property and Ability to Provide Essential Public Services and Determining There is a Need to Continue With the Contract to Resolve the Emergency**

Recommended Action:

Approve renewing the finding made in Resolution No. 22-247 that the deteriorating condition of the Administration Center server room cooling system constitutes an emergency that requires immediate action to prevent or mitigate the loss or impairment of County property and ability to provide essential public services and determine there is a need to continue with the contract to resolve the emergency.

HUMAN RESOURCES

- 3r) **Adoption of Resolution Approving New Classification of Supervising Permit Technician, \$63,689.60 - \$77,417.60/Annually; and Amending the Position Allocation Table as Follows: Budget Unit 2851, Add 1.0 FTE Supervising Permit Technician**

Recommended Action:

Adoption of Resolution approving new classification of Supervising Permit Technician, \$63,689.60 - \$77,417.60/Annually; and Amending the Position Allocation Table as Follows: Budget Unit 2851, Add 1.0 FTE Supervising Permit Technician; and authorize Chair to sign same.

Attachments: [Resolution 23-028](#)
[Resolution](#)

- 3s) **Adoption of Resolution Authorizing Title Change of Supervising Juvenile Corrections Officer to Supervising Youth Corrections Officer and From Juvenile Corrections Officer to Youth Corrections Officer**

Recommended Action:

Adoption of Resolution authorizing title change of Supervising Juvenile Corrections Officer to Supervising Youth Corrections Officer and From Juvenile Corrections Officer to Youth Corrections Officer; and authorize Chair to sign same.

Attachments: [Resolution 23-029](#)
[Resolution](#)

PLANNING AND BUILDING SERVICES

- 3t) **Approval of Second Amendment to BOS Agreement 20-039 with West Business Development Center to Adjust the Cost Matrix for the CDBG CV-1 (COVID) Funds for Microenterprise Technical and Financial Assistance to Reflect a Decrease in Financial Assistance, an Increase in Technical Assistance, and Extension of the Termination Date to June 30, 2023**

Recommended Action:

Approve the second amendment to BOS Agreement 20-039 with West Business Development Center to adjust the cost matrix for the CDBG CV-1 (COVID) funds for Microenterprise Technical and Financial Assistance to reflect a decrease in financial assistance, an increase in technical assistance, and extension of the termination date to June 30, 2023; and authorize the Chair to sign same.

Attachments: [Agreement 20-039-A2](#)

PUBLIC HEALTH

3u) Adoption of Resolution Finding That State and Local Officials Continue to Recommend Measures to Promote Social Distancing In Connection With Public Meetings

Recommended Action:

Adopt Resolution finding that State and local officials continue to recommend measures to promote social distancing in connection with public meetings; authorize Chair to sign same.

Attachments: [Resolution 23-030](#)
[Resolution AB361](#)

SHERIFF-CORONER

3v) Authorization to Purchase Military Equipment that Includes Two Kinetic Breaching Tools, One Electric Hydraulic Breaching Tool and One Drone Kit for the Mendocino County Sheriff's Office in the Total Amount of \$59,064.88; and Addition of the Items to the County's List of Fixed Assets

Recommended Action:

Authorize the purchase of military equipment that includes two kinetic breaching tools, one electric hydraulic breaching tool and one drone kit for the Mendocino County Sheriff's Office in the total amount of \$59,064.88; and add the items to the County's list of fixed assets.

Attachments: [2-Fixed-Asset-Request-Form-FY-2022-23.pdf](#)
[3-Ordinance 4511-Military Equip Use.pdf](#)
[4-Military Equip Use Policy 709.pdf](#)

ADJOURNMENT

Additional Meeting Information for Interested Parties

For a full list of the latest available options by which to engage with agenda items, please visit <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>

All electronically submitted comment is immediately available to Supervisors, staff, and the general public by clicking this meeting's eComment link at <https://mendocino.legistar.com/Calendar.aspx>

LIVE WEB STREAMING OF BOARD MEETINGS is available at <https://mendocino.legistar.com> or visit the Mendocino County YouTube channel. Meetings are also livestreamed from the Mendocino County Facebook page. For technical assistance, please contact the Clerk of the Board at (707) 463-4441. Please reference the departmental website to obtain additional resource information for the Board of Supervisors: www.mendocinocounty.org/bos

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