

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  
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## **MENDOCINO COUNTY BOARD OF SUPERVISORS**

### **ACTION MINUTES – March 28, 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; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Senior Deputy Clerk of the Board; Kim Saylor, Deputy Clerk of the Board; and Lillian Bearden, Deputy Clerk of the Board.

*ADJOURNED TO CLOSED SESSION: 9:01 A.M.*

**6A) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - CANNABIS DIRECTOR**

*RECONVENED IN OPEN SESSION: 9:58 A.M.*

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

**Presenter:** Chair McGourty.

**Public Comment:** None.

**Board Action:** With respect to agenda item 6a), the Board voted unanimously to accept the resignation of Cannabis Director Kristin Nevedal.

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

**Presenter/s:** Mark Donegan; Beverly Dalton; Lupe Smith; Rigoberto Alvarez; Seva Gimelli; Cesar Alvarado; Anne Gould; Carrie Shattuck; Garrett James; Jim Shields; Don Hess; and Stan Anderson.

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

**Presenter/s:** Chair McGourty; Supervisor Haschak; and Christian M. Curtis, County Counsel.

**Public Comment:** Carrie Shattuck; Michael Katz; Peter McNamee; Monique Ramirez; Stan Anderson; Hannah Nelson; Corinne Powell; Chantal Simonpietri; and Paul Hansbury.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that Consent Calendar items 3a) – 3b), 3d) – 3g), and 3i) – 3ab) are hereby approved. The motion carried by the following vote:

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

No: 0 – None

Absent: 0 – None

**3A) APPROVAL OF MINUTES OF MARCH 14, 2023 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

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

Approved;

1. Erica D'anis, General Representative, First Five Mendocino; and
2. Donald Hess, Fifth District Representative, Mendocino County Climate Action Advisory Committee.

**3D) ADOPTION OF PROCLAMATION RECOGNIZING APRIL 1, 2023 AS VETERANS ART PROJECT DAY IN MENDOCINO COUNTY - SPONSOR: SUPERVISOR MULHEREN**

Adopted and Chair is authorized to sign same;

**3E) AUTHORIZATION FOR THE PURCHASING AGENT OR DESIGNEE TO NEGOTIATE AND EXECUTE JOINT VENTURE AGREEMENT WITH CITY OF UKIAH FOR POTENTIAL CONVERSION OF THE UKIAH LOW GAP REGIONAL PARK TENNIS COURTS TO PICKLEBALL COURTS - SPONSORS: SUPERVISOR MULHEREN AND SUPERVISOR MCGOURTY**

Approved and Chair is authorized to sign same;

**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 23-055

**RESOLUTION NO. 23-055**

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 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 23-056

**RESOLUTION NO. 23-056**

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

**3I) ADOPTION OF RESOLUTION RATIFYING THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT (MCAQMD) SUBMITTAL OF THE APPLICATION TO PARTICIPATE IN YEAR 5 OF THE STATE AIR RESOURCES BOARD FARMER GRANT PROGRAM (FISCAL YEAR 2022-23), AUTHORIZING THE AIR POLLUTION CONTROL OFFICER (APCO) TO ACCEPT ALLOCATED STATE PROGRAM FUNDS IN THE AMOUNT OF \$580,600, FOR THE TERM OF DECEMBER 31, 2022 THROUGH MARCH 30, 2027, AND EXECUTE THE GRANT AGREEMENT ON BEHALF OF THE DISTRICT – SPONSOR: AIR QUALITY MANAGEMENT DISTRICT**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-057

**RESOLUTION NO. 23-057**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SITTING AS THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT BOARD, RATIFYING THE SUBMITTAL OF THE APPLICATION TO PARTICIPATE IN YEAR 5 OF THE STATE FARMER GRANT PROGRAM (FISCAL YEAR 2022-23), AUTHORIZING THE AIR POLLUTION CONTROL OFFICER TO ACCEPT ALLOCATED STATE PROGRAM FUNDS IN THE AMOUNT OF \$580,600, AND EXECUTE THE GRANT AGREEMENT ON BEHALF OF THE DISTRICT

**3J) ADOPTION OF RESOLUTION RATIFYING THE SUBMITTAL OF THE APPLICATION FOR THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT (MCAQMD) TO PARTICIPATE IN THE YEAR 5 (FISCAL YEAR 2021-2022) STATE AIR RESOURCES BOARD (AB 617) COMMUNITY AIR PROTECTION PROGRAM (CAPP) GRANT (G21-MCAP-12), AUTHORIZING THE AIR POLLUTION CONTROL OFFICER (APCO) TO ACCEPT STATE PROGRAM FUNDS IN THE AMOUNT OF \$135,151 AND COMMITTING TO COMPLY WITH THE REQUIREMENTS OF THE GRANT AGREEMENT FOR THE TERM OF MAY 15, 2022 THROUGH JUNE 30, 2026; AND EXECUTE THE GRANT AGREEMENT ON BEHALF OF THE MCAQMD – SPONSOR: AIR QUALITY MANAGEMENT DISTRICT**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-058

RESOLUTION NO. 23-058

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SITTING AS THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT BOARD, RATIFYING THE SUBMITTAL OF THE APPLICATION TO PARTICIPATE IN THE YEAR 5 (FISCAL YEAR 2021-2022) STATE AIR RESOURCES BOARD COMMUNITY AIR PROTECTION PROGRAM GRANT (AB 617- G21-MCAP-12), AUTHORIZING THE AIR POLLUTION CONTROL OFFICER TO ACCEPT STATE PROGRAM FUNDS; AND EXECUTE THE GRANT AGREEMENT ON BEHALF OF THE DISTRICT

**3K) APPROVAL OF GRANT AGREEMENT WITH UC DAVIS VETERINARY SCHOOL IN THE AMOUNT OF \$100,000 TO REPLACE THE EXISTING MOBILE SPAY AND NEUTER VEHICLE WITH A NEW VEHICLE, FOR A TOTAL AMOUNT ESTIMATED AT \$200,000 TO \$225,000; APPROVAL OF UTILIZATION OF FUNDS FROM THE MENDOCINO COUNTY SPAY AND NEUTER TRUST IN AN AMOUNT ESTIMATED AT \$100,000 TO \$125,000 TO COMPLETE THE PURCHASE; AND APPROVAL OF ADDITION OF THE VEHICLE TO THE COUNTY’S LIST OF FIXED ASSETS – SPONSOR: ANIMAL CARE SERVICES**

Approved;

**3L) APPROVAL OF AMENDMENT TO AGREEMENT NO. BOS 22-122 WITH CANYON MANOR IN THE AMOUNT OF \$70,000, FOR A NEW AGREEMENT TOTAL OF \$203,612, TO PROVIDE RESIDENTIAL CARE TO MENDOCINO COUNTY LANTERMAN-PETRIS-SHORT CLIENTS, EFFECTIVE JULY 1, 2022, THROUGH JUNE 30, 2023 – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-122-A1

**3M) AUTHORIZATION FOR THE DIRECTOR OF BEHAVIORAL HEALTH AND RECOVERY SERVICES TO EXECUTE THE FORTHCOMING CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES, BEHAVIORAL HEALTH CONTINUUM INFRASTRUCTURE PROGRAM - ROUND 5 CRISIS AND BEHAVIORAL HEALTH CONTINUUM PROGRAM GRANT REVENUE AGREEMENT, IF AWARDED, UP TO \$9,368,147, FOR THE ANTICIPATED PROJECT PERIOD OF UPON AWARD THROUGH JUNE 2027 – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES**

Approved;

**3N) APPROVAL OF THE COUNTY OF MENDOCINO CANNABIS DEPARTMENT UPDATE FROM FEBRUARY 2023 – SPONSOR: CANNABIS**

Approved;

**3O) APPROVAL OF AGREEMENT WITH KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD IN THE AMOUNT OF \$200,000 TO PROVIDE LEGAL SERVICES EFFECTIVE MARCH 28, 2023 THROUGH JUNE 30, 2024 – SPONSOR: COUNTY COUNSEL**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-042

**3P) 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 - SPONSOR: GENERAL SERVICES AGENCY**

Approved;

**3Q) ADOPTION OF RESOLUTION AUTHORIZING SALARY REVISION OF ASSISTANT CHIEF PROBATION OFFICER FROM \$106,080.00 - \$128,960.00 TO \$109,241.60 - \$132,766.40 - SPONSOR: HUMAN RESOURCES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-059

RESOLUTION NO. 23-059

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 4010, ADD 1.0 FTE ADMINISTRATIVE SERVICES MANAGER II \$95,846.40 - \$116,500.80, AND DELETE 1.0 FTE PROGRAM MANAGER, POSITION No.4582 – SPONSOR: HUMAN RESOURCES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-060

RESOLUTION NO. 23-060

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 POSITION ALLOCATION TABLE AS FOLLOWS: TRANSFER POSITION NUMBER 4398 (PAYROLL MANAGER), 4525, AND 4526 (ACCOUNTANT-AUDITOR II-CONF) FROM EXECUTIVE OFFICE BUDGET UNIT 1020 TO PAYROLL BUDGET UNIT 1140; ADD 2.0 FTE ACCOUNTANT-AUDITOR II-CONF TO BUDGET UNIT 1140 - SPONSOR: HUMAN RESOURCES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-061

RESOLUTION NO. 23-061

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS IN THE HUMAN RESOURCES DEPARTMENT

**3T) APPROVAL OF RETROACTIVE AGREEMENT WITH DATA STRATEGY CONSULTING, LLC., SARA MARIKOS IN THE AMOUNT OF \$100,000, TO PROVIDE EPIDEMIOLOGY SERVICES, EFFECTIVE FEBRUARY 1, 2023 THROUGH DECEMBER 31, 2023 – SPONSOR: PUBLIC HEALTH**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-043

**3U) APPROVAL OF RETROACTIVE GRANT AGREEMENT NO. 22-10661 WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH IN THE AMOUNT OF \$2,024,067, FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS, STATE GENERAL FUND PANDEMIC INFLUENZA, AND ADMINISTRATION FOR STRATEGIC PREPAREDNESS AND RESPONSE HOSPITAL PREPAREDNESS PROGRAM, EFFECTIVE JULY 1, 2022, THROUGH JUNE 30, 2027 – SPONSOR: PUBLIC HEALTH**

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement \*23-044

**3v) APPROVAL OF FIRST AMENDMENT TO BOS AGREEMENT 21-145 WITH ARMOROUS INCREASING THE TOTAL AGREEMENT AMOUNT BY \$200,000 FOR A NEW AGREEMENT TOTAL OF \$600,000 TO PROVIDE SECURITY GUARD SERVICES FOR INMATES TEMPORARILY HOUSED IN FACILITIES OTHER THAN THE MENDOCINO COUNTY JAIL, SUCH AS HOSPITALS OR OTHER FACILITIES THROUGH JUNE 30, 2025 – SPONSOR: SHERIFF-CORONER**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-145-A1

**3w) APPROVAL OF AGREEMENT (AMENDMENT TO AGREEMENT NO. PA-23-53, SS-22-083) WITH THE CITY OF FORT BRAGG IN THE AMOUNT OF \$50,000, FOR A NEW TOTAL AMOUNT OF \$89,908, TO OPERATE THE EMERGENCY WINTER SHELTER ON THE MENDOCINO COUNTY COAST, EFFECTIVE NOVEMBER 18, 2022, THROUGH APRIL 30, 2023 – SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-045

**3x) APPROVAL OF RETROACTIVE AGREEMENT (FIRST AMENDMENT TO AGREEMENT NO. SS-21-093) WITH SIMTECH SOLUTIONS, INC., IN THE AMOUNT OF \$22,350 FOR A NEW TOTAL OF \$44,700, TO RENEW THE SUBSCRIPTION TO THE COUNTING US! MOBILE APPLICATION TO AUTOMATE THE 2023 POINT-IN-TIME COUNT AND CONDUCT SURVEYS WITH PEOPLE EXPERIENCING HOMELESSNESS IN MENDOCINO COUNTY, EFFECTIVE JANUARY 11, 2022 THROUGH A NEW END DATE OF DECEMBER 14, 2023 (ORIGINAL END DATE: JANUARY 10, 2023) – SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-046

**3y) APPROVAL OF RETROACTIVE AGREEMENT (FIRST AMENDMENT TO AGREEMENT NO. SS-22-086) WITH NORTH BAY AVS DESIGN, IN THE AMOUNT OF \$0 FOR AN AGREEMENT TOTAL OF \$12,853.21, TO PURCHASE AND INSTALL A FIRE/BURGLAR ALARM AT FORT BRAGG - AVILA CAMPUS, EFFECTIVE JANUARY 27, 2023 THROUGH A NEW END DATE OF JANUARY 31, 2024 (ORIGINAL END DATE: JANUARY 31, 2023) – SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-047

**3z) APPROVAL OF RETROACTIVE AGREEMENT WITH FORD STREET PROJECT IN THE AMOUNT OF \$419,736.17, TO PROVIDE CONGREGATE AND NON-CONGREGATE EMERGENCY SHELTER SERVICES FOR FAMILIES AND INDIVIDUALS WHO ARE EXPERIENCING HOMELESSNESS IN MENDOCINO COUNTY, USING CALIFORNIA HOMELESS COORDINATING AND FINANCING COUNCIL GRANT FUNDS FOR THE HOMELESS HOUSING, ASSISTANCE, AND PREVENTION PROGRAM, AS GRANTED TO THE MENDOCINO COUNTY HOMELESS SERVICES CONTINUUM OF CARE, EFFECTIVE JANUARY 1, 2023 THROUGH DECEMBER 31, 2023 - SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-048

**3AA) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$80,300, TO PROVIDE CONGREGATE EMERGENCY SHELTER SERVICES FOR INDIVIDUALS AND FAMILIES EXPERIENCING HOMELESSNESS IN MENDOCINO COUNTY, USING CALIFORNIA HOMELESS COORDINATING AND FINANCING COUNCIL GRANT FUNDS FOR THE HOMELESS HOUSING, ASSISTANCE, AND PREVENTION PROGRAM, AS GRANTED TO THE MENDOCINO COUNTY HOMELESS SERVICES CONTINUUM OF CARE, EFFECTIVE JANUARY 1, 2023 THROUGH DECEMBER 31, 2023 - SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-049

**3AB) ADOPTION OF RESOLUTION EXTENDING THE TERM OF BOARD OF SUPERVISORS AGREEMENT NUMBER 10-140, FRANCHISE AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND SOLID WASTES OF WILLITS, INC., FOR SOLID WASTE REFUSE COLLECTION AREA NUMBER THREE, AS AMENDMENT NUMBER FOUR TO THE AGREEMENT FROM DECEMBER 31, 2024, TO DECEMBER 31, 2029 (ANDERSON VALLEY AREA) - SPONSOR: TRANSPORTATION/SOLID WASTE**

Adopted and Chair is authorized to sign same.

Enactment No: Resolution 23-062

RESOLUTION NO. 23-062

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXTENDING THE TERM OF THE BOARD OF SUPERVISORS AGREEMENT NUMBER 10-140, FRANCHISE AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND SOLID WASTES OF WILLITS, INC., FOR SOLID WASTE REFUSE COLLECTION AREA NUMBER THREE, AS AMENDMENT NUMBER FOUR TO THE AGREEMENT, FROM DECEMBER 31, 2024 TO DECEMBER 31, 2029 (ANDERSON VALLEY AREA)

**AGENDA ITEM NO. 3 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:**

**3c) ADOPTION OF AN ORDINANCE AMENDING SECTIONS 6.32.050 AND 6.32.100 OF THE MENDOCINO COUNTY CODE TO PROVIDE, FOR CANNABIS CULTIVATION AND NURSERY OPERATIONS, A REDUCTION IN THE CANNABIS BUSINESS TAX FOR TAX YEARS 2023 AND 2024 AND TO ESTABLISH A PENALTY AND INTEREST AMNESTY PROGRAM AND A PRIOR YEAR TAX PAYMENT PLAN - SPONSOR: SUPERVISOR MULHEREN**

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

**Public Comment:** Carrie Shattuck; Michael Katz; Peter McNamee; Monique Ramirez; Stan Anderson; Hannah Nelson; Corinne Powell; Chantal Simonpietri; and Paul Hansbury.

**Board Directive:** GENERAL CONSENSUS OF THE BOARD to direct County Counsel to return to the full Board with a future agenda item regarding specific proposals on how to collect the tax more effectively

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors adopts ordinance amending Sections 6.32.050 and 6.32.100 of the Mendocino County Code to provide, for cannabis cultivation and nursery operations, a reduction in the cannabis business tax for tax years 2023 and 2024 and to establish a penalty and interest amnesty program and a prior year tax payment plan; and authorizes Chair to sign same. The motion carried by the following vote:

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

No: 2 – Supervisor Gjerde and Supervisor Williams

Absent: 0 – None

Enactment No: Ordinance 4518

ORDINANCE NO. 4518

ORDINANCE AMENDING SECTIONS 6.32.050 AND 6.32.100 OF THE MENDOCINO COUNTY CODE TO PROVIDE, FOR CANNABIS CULTIVATION AND NURSERY OPERATIONS, A REDUCTION IN THE CANNABIS BUSINESS TAX FOR TAX YEARS 2023 AND 2024 AND TO ESTABLISH A PENALTY AND INTEREST AMNESTY PROGRAM AND A PRIOR YEAR TAX PAYMENT PLAN

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

**4A) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION TO PLACE A MEASURE ON THE MARCH 5, 2024, BALLOT TO EXTEND THE COLLECTION OF THE ABANDONED VEHICLE ABATEMENT FEE FOR A PERIOD OF TEN (10) YEARS, PURSUANT TO VEHICLE CODE SECTIONS 9250.7 AND 22710 - SPONSOR: PLANNING AND BUILDING SERVICES**

**Presenter/s:** Julia Krog, Director, Planning and Building Services; Gretchen McLaughlin, Supervising Code Enforcement Officer, Planning and Building Services; Matthew Kiedrowski, Deputy County Counsel; and Brian Webb, Code Enforcement Officer II, Planning and Building Services.

**Public Comment:** Paul Hansbury.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors adopts Resolution to place a measure on the March 5, 2024, Ballot to extend the collection of the abandoned vehicle abatement fee for a period of ten (10) years, pursuant to Vehicle Code Sections 9250.7 and 22710; 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 23-063

RESOLUTION NO. 23-063

A RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO PLACE A MEASURE ON THE MARCH 5, 2024 BALLOT TO EXTEND THE COLLECTION OF THE ABANDONED VEHICLE ABATEMENT FEE FOR A PERIOD OF 10 YEARS, PURSUANT TO VEHICLE CODE SECTIONS 9250.7 AND 22710

**4B) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF UPDATE FROM EKI ENVIRONMENT AND WATER, INC., REGARDING DISCUSSIONS AND RECOMMENDATIONS OF THE MENDOCINO COUNTY WATER RESOURCES TEAM TECHNICAL ADVISORY COMMITTEE TO PRIORITIZE COMMUNITY WATER NEEDS (COUNTYWIDE); AND PROVIDE DIRECTION TO STAFF AS APPROPRIATE - SPONSOR: WATER AGENCY**

**Presenter/s:** Howard Dashiell, Director, Transportation; and Amir Mani, Consultant, EKI, Environmental and Water Inc.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors accepts update from EKI Environment and Water, Inc., regarding discussions and recommendations of the Mendocino County Water Resources Team Technical Advisory Committee; directs EKI to proceed with all ten projects, prioritizing the first five, and report back to the Board when getting close to the dollar amount allotted in the existing contract. The motion carried by the following vote:

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

No: 0 – None

Absent: 0 – None

*LUNCH RECESS: 12:19 PM – 1:01 P.M.*



**4C) DISCUSSION AND POSSIBLE ACTION INCLUDING (1) ADOPTION OF CEQA RESOLUTION REGARDING ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION; AND (2) INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING SECTION 10A.17 OF THE MENDOCINO COUNTY CODE TO PROVIDE CLARITY TO AMBIGUOUS TERMS REGARDING THE TREE REMOVAL PROHIBITION - SPONSOR: COUNTY COUNSEL AND CANNABIS**

**Presenter/s:** Christian M. Curtis, County Counsel.

**Public Comment:** Ellen Drell; Hannah Nelson; Monique Ramirez; and Paul Hansbury.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors adopts CEQA resolution regarding addendum to the previously adopted Mitigated Negative Declaration; introduces and waives first reading of an Ordinance amending section 10A.17 of the Mendocino County Code to provide clarity to ambiguous terms regarding the tree removal prohibition; and authorizes Chair to sign same. The motion carried by the following vote:

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

No: 1 – Supervisor Haschak

Absent: 0 – None

Enactment No: Resolution 23-064

**RESOLUTION 23-064**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR AMENDMENTS TO SECTION 10A.17.040 OF THE MENDOCINO COUNTY CODE TO PROVIDE CLARITY ON THE TREE REMOVAL PROHIBITION.

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

**Presenter/s:** Darcie Antle, Chief Executive Officer.

**Public Comment:** None.

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

Withdrawn.

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

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

**Public Comment:** None.

**AGENDA ITEM NO. 3 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:**

**3H) APPROVAL OF CURRENT LIST OF BOARD OF SUPERVISOR'S DIRECTIVES WITH UPDATES FROM DEPARTMENTS FOLLOWING PREVIOUS BOARD ACTION ON FEBRUARY 28, 2023 – SPONSOR: EXECUTIVE OFFICE**

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

**Public Comment:** Carrie Shattuck; Michael Katz; Peter McNamee; Monique Ramirez; Stan Anderson; Hannah Nelson; Corinne Powell; Chantal Simonpietri; and Paul Hansbury.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors approves the current list of Board of Supervisors Directives as revised during the meeting; and directs staff to return regarding the remaining directives with information/reports that include the Executive Office updates and updates from other Department Heads through the Chief Executive Officers Report. The motion carried by the following vote:

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

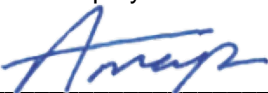
No: 0 – None

Absent: 0 – None

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 3:00 P.M.

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

  
GLENN MCGOURTY, Chair

  
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**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](http://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](http://www.mendocinocounty.org/government/board-of-supervisors)

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