GLENN MCGOURTY 1st District Supervisor MAUREEN MULHEREN 2nd District Supervisor Chair JOHN HASCHAK 3rd District Supervisor Vice-Chair DAN GJERDE 4th District Supervisor TED WILLIAMS 5th District Supervisor



DARCIE ANTLE
Chief Executive Officer/
Clerk of the Board

CHARLOTTE E. SCOTT
County Counsel

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – July 9, 2024

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; Charlotte E. Scott, County Counsel; Lillian Bearden, Deputy Clerk of the Board; and Atlas M.A. Pearson, Senior Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Supervisor Mulheren.

AGENDA ITEM NO. 2 - PUBLIC EXPRESSION

Presenter/s: Patrick Hickey.

AGENDA ITEM NO. 3 - APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Mulheren; Karen Lovato, Senior Program Manager, Behavioral Health and Recovery Services; Jenine Miller, Director, Behavioral Health and Recovery Services; Charlotte E. Scott, County Counsel; and Tim Hallman, Division Director, General Services Agency.

Public Comment: Dave Shpak.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Gjerde, IT IS ORDERED that Consent Calendar items 3a) – 3o), 3q), and 3s) – 3x) are hereby approved as follows. The motion carried by the following vote:

Aye: 4 - Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, and Supervisor Gjerde

No: 1 – Supervisor Williams

Absent: 0 - None

3a) Approval of Minutes of June 25, 2024, Regular Meeting - Sponsor: Executive Office

Approved and Chair is authorized to sign same;

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

Approved;

- 1. Jim Tarbell, County A, Mendocino Transit Authority Board of Directors;
- 2. Bob Gaston, Trustee, Hopland Cemetery District:
- 3. Patricia Aka Pean Ris-Yarbrough, Member, Redwood Valley Municipal Advisory Council; and
- 4. Holly Madrigal, Member, Mendocino Historical Review Board.
- 3c) ADOPTION OF RESOLUTION APPROVING ALLOCATION OF FUNDING, AN APPLICATION FOR FUNDING, AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2019-2020 FUNDING YEAR OF THE CDBG MITIGATION (CDBG-MIT) RESILIENT PLANNING AND PUBLIC SERVICES PROGRAM IN THE AMOUNT OF \$295,000 TO REQUEST FUNDING FOR THE FUEL ABATEMENT ORDINANCE AND ENFORCEMENT PLANNING PROJECT SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 24-107

3D) ADOPTION OF RESOLUTION RENEWING A DECLARATION OF A LOCAL EMERGENCY RELATED TO CLIMATE CHANGE SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 24-108

3e) 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 24-109

3F) APPROVAL OF 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 \$1,100,000 EFFECTIVE UPON SIGNING THROUGH JUNE 30, 2025 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 24-116

3G) APPROVAL OF EQUITY RIGHTS PURCHASE AGREEMENT AND TERMINATION OF JOINT OCCUPANCY AGREEMENT BETWEEN THE JUDICIAL COUNCIL OF CALIFORNIA (JCC) AND THE COUNTY OF MENDOCINO, REGARDING THE WILLITS SUPERIOR COURT, IN THE AMOUNT OF \$370,000 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *24-117

3H) RATIFICATION OF A LETTER OF OPPOSITION FOR ASSEMBLY BILL 2797 (MCKINNOR) - TELEPHONE CORPORATIONS: CARRIERS OF LAST RESORT SPONSOR: EXECUTIVE OFFICE

Approved;

31) RATIFICATION OF A LETTER OF SUPPORT FOR ASSEMBLY BILL 1359 (PAPAN) CALIFORNIA ENVIRONMENTAL QUALITY ACT: GEOTHERMAL EXPLORATORY PROJECTS: LEAD AGENCY - SPONSOR: EXECUTIVE OFFICE

Approved;

3J) APPROVAL OF RETROACTIVE AGREEMENT WITH NUESTRA ALIANZA DE WILLITS IN THE AMOUNT OF \$60,000, TO PROVIDE MENTAL HEALTH SERVICES ACT PREVENTION AND EARLY INTERVENTION SERVICES, EFFECTIVE JULY 1, 2024, THROUGH JUNE 30, 2025 – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 24-118

3k) APPROVAL OF RETROACTIVE AGREEMENT WITH ANCHOR HEALTH MANAGEMENT, INC., IN THE AMOUNT OF \$540,642, TO PROVIDE SPECIALTY MENTAL HEALTH SERVICES, MEDICATION MANAGEMENT/SUPPORT SERVICES TO ELIGIBLE MEDI-CAL BENEFICIARIES OF MENDOCINO COUNTY, EFFECTIVE JULY 1, 2024, THROUGH SEPTEMBER 30, 2024 – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 24-119

3L) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$52,859, TO PROVIDE DIRECT SERVICES AND SUPPORTIVE CARE MANAGEMENT SERVICES TO RESIDENTS WITH SEVERE MENTAL ILLNESS IN THE HOMELESS SHELTER AND TRANSITIONAL HOUSING APARTMENTS IN FORT BRAGG, EFFECTIVE JULY 1, 2024, THROUGH JUNE 30, 2025 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 24-120

3M) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC. DBA REDWOOD COMMUNITY CRISIS CENTER IN THE AMOUNT OF \$83,840, TO PROVIDE 24/7 EMERGENCY CRISIS SERVICES, OUTREACH, AND ENGAGEMENT TO CHILDREN, YOUTH, AND YOUNG ADULTS IN MENDOCINO COUNTY, EFFECTIVE JULY 1, 2024, THROUGH JUNE 30, 2025 – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 24-121

3N) APPROVAL OF APPROPRIATION TO INCREASE BUDGET UNIT MH/4050 86-3113 TO \$3,000,000, INCREASE BUDGET UNIT MH/4050 86-3164 TO \$790,000, INCREASE BUDGET UNIT MH/4050 86-3280 TO \$1,050,000, AND INCREASE BUDGET UNIT MH/4050 82-5331 TO \$4,840,000 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

30) RATIFICATION OF SUBMISSION OF GRANT APPLICATION TO THE CENTER AT SIERRA HEALTH FOUNDATION WITH FUNDING FROM THE STATE OF CALIFORNIA'S DEPARTMENT OF HEALTH CARE SERVICES FOR COVID-19 MITIGATION PROJECT FUNDING; AND AUTHORIZATION FOR THE DIRECTOR OF HEALTH SERVICES TO EXECUTE THE RESULTING GRANT AGREEMENT IF AWARDED, UP TO \$60,000, FOR THE ANTICIPATED PROJECT PERIOD OF AUGUST 1, 2024 THROUGH MARCH 31, 2025 – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved;

3P) RATIFICATION OF SUBMISSION OF GRANT APPLICATION TO THE MENTAL HEALTH SERVICES OVERSIGHT & ACCOUNTABILITY COMMISSION (MHSOAC) FOR MENTAL HEALTH STUDENT SERVICES ACT (MHSSA) 004
FUNDING; AUTHORIZATION FOR THE HEALTH SERVICES DIRECTOR TO EXECUTE THE RESULTING GRANT AGREEMENT IF AWARDED, UP TO \$450,000, FOR THE ANTICIPATED PROJECT PERIOD OF UPON SIGNING FOR A THREE-YEAR PERIOD; AND AUTHORIZATION FOR THE HEALTH SERVICES DIRECTOR OR DESIGNEE TO SIGN ANY AMENDMENTS THAT DO NOT INCREASE THE MAXIMUM AMOUNT — SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Withdrawn;

3Q) ADOPTION OF RESOLUTION AUTHORIZING THE COUNTY OF MENDOCINO TO ENTER INTO AN AMENDMENT IN THE AMOUNT OF \$177,952 FOR CONTRACT NO. C9801084 WITH THE STATE OF CALIFORNIA FOR THE PER CAPITA GRANT PROGRAM UNDER THE CALIFORNIA DROUGHT, WATER, PARKS, CLIMATE, COASTAL PROTECTION, AND OUTDOOR ACCESS FOR ALL ACT OF 2018; AND AUTHORIZE THE CHIEF EXECUTIVE OFFICER OR DESIGNEE TO EXECUTE AMENDMENT ON BEHALF OF THE COUNTY OF MENDOCINO – SPONSOR: GENERAL SERVICES AGENCY

Adopted (with clarification that the funds are to be spent in entirity on Bower Park) and Chair is authorized to sign the same:

Enactment No: Resolution 24-110

3r) Approval of Change Order Number 01 to Agreement 24-019 with Broward Builders, a California Corporation for the Jail Construction Project in the Amount of \$323,422 for a New Agreement Total of \$35,535,578 for Cost Reduction Changes with No Change to the Contract Term - Sponsor: General Services Agency

Withdrawn;

3s) Approval of First Amendment to Agreement No. 23-052 with Virgin Pulse, Inc. to add a Domestic Partner as an Eligible Dependent for the Purpose of Utilizing Wellbeing Services Provided to County Employees for Term March 24, 2023, through December 31, 2026 - Sponsor: Human Resources

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-052-A1

3T) ADOPTION OF RESOLUTION AUTHORIZING THE PROCESSING OF A CONSOLIDATED COASTAL DEVELOPMENT PERMIT, LCP_2024-0003 (CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)), BY THE CALIFORNIA COASTAL COMMISSION, FOR CALTRANS TO SUBDIVIDE A PARCEL AT BLUES BEACH/CHADBOURNE GULCH IN ORDER TO MAINTAIN RIGHT OF WAY AND MAINTENANCE ACCESS WHILE TRANSFERRING THE MAJORITY OF THE PARCEL TO KAI POMA – SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 24-111

3U) AUTHORIZATION OF THE ISSUANCE OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. CDP_2023-0004 (STRICKER) TO CONSTRUCT A 1,198 SQUARE FOOT ACCESSORY DWELLING UNIT AND INSTALL A NEW SEPTIC SYSTEM, LOCATED AT 33811 NAVARRO RIDGE ROAD, ALBION, APN 123-320-06 - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

3v) APPROVAL OF AGREEMENT WITH ADVENTIST HEALTH UKIAH VALLEY IN THE AMOUNT OF \$150,000, TO PROVIDE STREET MEDICINE PROGRAM SERVICES TO UNHOUSED, UNSHELTERED MEDI-CAL MEMBERS IN THE UKIAH VALLEY AREA WHO ARE ENROLLED IN PARTNERSHIP HEALTHPLAN OF CALIFORNIA, EFFECTIVE UPON SIGNING THROUGH JUNE 30, 2026 – SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 24-122

3w) Approval of Agreement with Armorous Private Security in the Amount of \$192,691.20, to Provide Security Guard Services at Mendocino County Department of Social Services Office Locations, Effective October 4, 2024, through October 3, 2025 – Sponsor: Sheriff - Social Services

Approved and Chair is authorized to sign same;

Enactment No: Agreement 24-123

3x) Approval of Retroactive Agreement with Chabot-Las Positas Community College District in the Amount of \$1,500,000, to Provide Trainings for Individuals Serving Title IV-E Federally Eligible Foster Children Including Resource Parents, Short Term Residential Therapeutic Program Staff, County Staff and Community-Based Agencies, Effective July 1, 2024, through June 30, 2025 – Sponsor: Social Services

Approved and Chair is authorized to sign same;

Enactment No: Agreement 24-124

AGENDA ITEM NO. 4 - REGULAR CALENDAR

4a) Discussion and Possible Action Including Acceptance of Informational Report(s) from the Assessor/Clerk-Recorder/Registrar of Voters, Acting Auditor-Controller/Treasurer-Tax Collector, District Attorney, Sheriff and Various County Department Heads or Designee(s) – Sponsor: Executive Office

Presenter/s: Sara Pierce, Acting Auditor Controller-/Treasurer- Tax Collector; Charlotte E. Scott, County Counsel; Darcie Antle, Chief Executive Officer; Angela Godwin, Agricultural Commissioner/Sealer of Weights; Marlayna Duley, Director, Environmental Health; Efraim Lopez, Deputy Air Pollution Control Officer, Air Quality Management District; Cherie Johnson, Deputy Chief Executive Officer.

Public Comment: None.

Board Action: None.

48) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MENDOCINO AND SERVICE EMPLOYEES' INTERNATIONAL UNION (SEIU) 2015, CALIFORNIA'S LONG TERM CAREGIVERS FOR TERM OF JUNE 1, 2024, THROUGH DECEMBER 31, 2026 – SPONSORS: HUMAN RESOURCES AND EXECUTIVE OFFICE

Presenter/s: Cherie Johnson, Deputy Chief Executive Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors adopts resolution and approves Memorandum of Understanding between the County of Mendocino Service Employees International Union (SEIU) 2015, California's Long Term Caregivers for term of June 1, 2024, through December 31, 2026; 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 24-112; Agreement 24-125

4C) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF TO INVESTIGATE AND RESEARCH OPTIONS FOR TRANSFERRING COUNTY-OWNED LAND NEAR THE COVELO AIRPORT TO A PARTNER ENTITY FOR THE PURPOSE OF DEVELOPING A COMMUNITY SKATE PARK - SPONSOR: SUPERVISOR HASCHAK

Presenter/s: Supervisor Haschak; Tim Hallman, Division Director, General Services Agency.

Public Comment: Hannah Frazier; Ilene Russel; Laurance Hall; and Patricia Mera.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors directs staff to investigate and research options for transferring County-owned land near the Covelo Airport to a partner entity for the purpose of developing a community skate park; and directs the Grants Team to seek out grants to assist with the cost of building the skate park. 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

4D) DISCUSSION AND POSSIBLE ACTION INCLUDING AUTHORIZATION FOR STAFF TO INVESTIGATE THE FEASIBILITY OF ESTABLISHING A HOSPITAL-BASED BUSINESS IMPROVEMENT DISTRICT PROPOSED AT THE REQUEST OF MENDOCINO COUNTY ACUTE CARE HOSPITALS AND RETURN FINDINGS TO THE BOARD OF SUPERVISORS IN 2024 - SPONSOR: SUPERVISOR WILLIAMS

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

Public Comment: Jim Jerset; Paul Garza; Julia Drefke; and Kathy Wylie.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors authorizes staff to investigate the feasibility of establishing a Hospital-Based Business Improvement District proposed at the request of Mendocino County Acute Care Hospitals; and directs staff to return findings to the Board of Supervisors in 2024. The motion carried by the following vote:

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

No: 0 - None

Absent: 0 - None

BOARD RECESS: 10:36 A.M. - 10:50 A.M.

4E) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF APPEAL OF THE MENDOCINO HISTORICAL REVIEW BOARD'S DENIAL OF MHRB_2023-0019 FOR INSTALLATION OF BLACK COMPOSITION SHINGLES TO REPLACE FAILING METAL ROOFING AT 10450 LANSING STREET, MENDOCINO; APN: 119-236-05; AND DIRECTION TO STAFF TO REFUND THE APPLICATION AND APPEAL FEE FOR MHRB_2023-0019 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Chair Mulheren; Cherie Johnson, Deputy Chief Executive Officer.

Public Comment: Julia Krog, Director, Planning and building Services; and Colin Morrow, Appellant Attorney.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors approves appeal of the Mendocino Historical Review Board's denial of MHRB_2023-0019 for installation of black composition shingles to replace failing metal roofing at 10450 Lansing Street, Mendocino; APN: 119-236-05; and directs Planning and Building Services to refund the application and appeal fee for MHRB_2023-0019. The motion carried by the following vote:

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

No: 0 - None

Absent: 0 - None

AGENDA ITEM NO. 6 - CLOSED SESSION

ADJOURNED TO CLOSED SESSION: 11:00 A.M.

- 6A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: ONE CASE COUNTY OF MENDOCINO, ET AL. V. AMERISOURCEBERGEN DRUG CORPORATION, ET AL. CASE NO. 1:18-cv-02712
- 6B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(4) CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION: TWO CASES

RECONVENED IN OPEN SESSION: 11:29 A.M.

AGENDA ITEM NO. 6 - REPORT OUT OF CLOSED SESSION

Presenter: Chair Mulheren.

Board Action: With respect to agenda items 6a) and 6b), no reportable action was taken.

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.

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

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

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 11:36 A.M.

Attest: ATLAS M.A. PEARSON

Senior Deputy Clerk of the Board

Mauuan Mulheren
MAUREEN MULHEREN, 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