GLENN MCGOURTY
DISTRICT 1, CHAIR
MAUREEN MULHEREN
DISTRICT 2, VICE-CHAIR
JOHN HASCHAK
DISTRICT 3
DAN GJERDE
DISTRICT 4
TED WILLIAMS
DISTRICT 5



DARCIE ANTLE CHIEF EXECUTIVE OFFICER CLERK OF THE BOARD

CHRISTIAN M. CURTIS
COUNTY COUNSEL

# MENDOCINO COUNTY BOARD OF SUPERVISORS AGENDA REGULAR MEETING April 25, 2023 - 9:00 AM

Meeting Location(s): 501 Low Gap Road, Room 1070, Ukiah, CA. 95482 (Board Chambers)

Zoom Link: https://mendocinocounty.zoom.us/j/81808143003 Zoom Phone Number (if joining via telephone): 1 669 900 9128; Zoom Webinar ID: 818 0814 3003

Listed below are some of the Board of Supervisors Public Engagement options. For streaming options and a complete list of ways to interact with agenda items (or more information on any of these listed) please visit: https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement

#### Written Comment

- Submit online via the eComment platform at https://mendocino.legistar.com/Calendar.aspx

#### **Verbal Comment**

- Speak in person at any physical meeting location when the Chair calls for Public Comment
- Join the Zoom Webinar and use the "raise hand" feature when the Chair calls for Public Comment (if joining via telephone: press \*9 to raise your hand, and \*6 to unmute yourself when called)
- Leave a voicemail message, up to 3 minutes in length, by calling 707-234-6333

\*Note: Voicemail comments will no longer be played back during Open Session, but are immediately available to the full Board of Supervisors upon submittal.

# 1. OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 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 any method listed on the front page of this agenda or on our Public Engagement page, at: https://rb.gy/d3p0

For more information on any of these methods, please call the Mendocino County Clerk of the Board at (707) 463-4441

# 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) Noticed Public Hearing - Discussion and Possible Action Including Adoption of Resolution Amending the Exhibit X - Master Fee Schedule Effective June 24, 2023 Unless Code or Policy Require Longer, Including but not Limited to, the Animal Care Services, Assessor-Clerk-Recorder, Cannabis Management Unit, Clerk of the Board, Cultural Services Agency, Department of Transportation, Executive Office-General Services Agency, Planning & Building Services, Sheriff's Office, and Social Services (Sponsor: Executive Office)

#### Recommended Action:

Adopt Resolution amending Exhibit X - Master Fee Schedule effective June 24, 2023, unless code or policy require longer, including but not limited to, the Animal Care Services, Assessor-Clerk-Recorder, Cannabis Management Unit, Clerk of the Board, Cultural Services Agency, Department of Transportation, Executive Office-General Services Agency, Planning & Building Services, Sheriff's Office, and Social Services; and authorize Chair to sign same.

Attachments: Resolution 23-082

Attach #1 - Resolution Fee Hearing 4.25.23.docx

Attach #2 - April 2023 CEO Memo Fee Hearing.pdf

Attach #3 - April 2023 Proposed Fee Change Memo.pdf

Attach #4 - Animal Care Services - April 2023 Fee Hearing

Memo.pdf

Attach #5 - Cannabis Management Unit - April 2023 Fee

Hearing Memo V3 20230411.pdf

Attach #6 - Clerk of the Board - April 2023 Fee Hearing

Memo.pdf

Attach #7 - Cultural Services Agency - April 2023 Fee Hearing

Memo.pdf

Attach #8 - Dept of Transportation - April 2023 Fee Hearing

Memo.pdf

Attach #9 - General Services Agency-Parks - April 2023 Fee

Hearing Justification Memo.pdf

Attach #10 - Planning & Building Services - April 2023 Planning

Fee increase 2023.pdf

Attach #11 - Sheriff's Office - April 2023 Fee Hearing Memo.pdf

Attach #12 - Social Services Public Administrator - April 2023

Fee Hearing Memo.pdf

Attach #13 - Exhibit X - Master Fee Schedule 4.25.23

DRAFT.pdf

April 2023 MCEO Affidavit 6741975.pdf

Fee Hearing Detail - April 2023.pdf

Cannabis Department Memo RE Fee Schedule.pdf

Exhibit X - Master Fee Schedule w-out Cannabis Mgmt Unit

changes 4.25.23 DRAFT.pdf

<u>04-21-23 Assessor Clerk-Recorder - April 2023 Fee Hearing</u>

Memo

04-25-23 Revised - ACR Proposed Fee Change Memo

04-25-23 Revisd GSA Fee Hearing Justification Memo

04-25-23 Revised Exhibit X - Master Fee Schedule AN & ACR

changes

04-25-23 Revised Exhibit X - Master Fee Schedule ACR

4b) Discussion and Possible Action Including Approval of the Recommended Community Corrections Partnership (CCP) Budget for Fiscal Year (FY) 2023-24 in the Amount of \$6,877,827, Excluding Growth Funds; Authorization for the Chief Probation Officer to Update the Approved Budget by the Amount of Growth Funds Received, if any, Less Mandated Allocation to the Local Innovation Subaccount, by Designating the Funds as Contingency or Reserve; and Authorization for the Chief Probation Officer to Implement the CCP Budget

(Sponsor: Probation)

## Recommended Action:

Approve the recommended Community Corrections Partnership (CCP) Budget for Fiscal Year (FY) 2023-24 in the amount of \$6,877,827, excluding growth funds; authorize the Chief Probation Officer to update the approved budget by the amount of Growth Funds received, if any, less mandated allocation to the Local Innovation Subaccount, by designating the funds as Contingency or Reserve; and authorize the Chief Probation Officer to implement the CCP Budget.

Attachments: CCP Budget Presentation FY23-24

4c) Discussion and Possible Action Including Acceptance of the Mendocino County Juvenile Justice Plan (MCJJP) Dated March 2023, Representing Mendocino County's Comprehensive Multi-Agency Juvenile Justice Plan (CMJJP); Approval of the Juvenile Justice Crime Prevention Act (JJCPA) Budget for Fiscal Year (FY) 2023-24; and Authorization for the Chief Probation Office to Implement the JJCPA Budget

(Sponsor: Probation)

## Recommended Action:

Accept the Mendocino County Juvenile Justice Plan (MCJJP) dated March 2023 which represents Mendocino County's Comprehensive Juvenile Justice Plan (CMJJP); approve the Juvenile Justice Crime Prevention Act (JJCPA) budget for Fiscal Year (FY) 2023-24; and authorize the Chief Probation Officer to implement the JJCPA budget.

**Attachments:** Presentation

Mendocino County Juv Justice Consolidated Plan 2023

4d) Discussion and Possible Action Including Creation of a Board of Supervisors Standing Committee Comprised of Supervisors McGourty and Haschak on the Topic of Economic Development

(Sponsors: Supervisor McGourty and Supervisor Haschak)

## Recommended Action:

Create a Board of Supervisors Standing Committee comprised of Supervisors McGourty and Haschak on the topic Economic Development.

Attachments: ED Standing Committee PP

Mendo Economic Update 4.25.23 - West Center

MONTHLY Economic Development Ad Hoc Committee Reports

July 2022-March 2023

**Business Prioritization Summary Notes** 

4e) Noticed Public Hearing - Discussion and Possible Action to Consider an Appeal of the Planning Commission Adoption of Resolution No. PC\_2022-0018, which Clarified Interpretation of Mendocino County Code as it Relates to the Occupancy of an Entire Dwelling Unit as Transient Habitation and Consider Whether the Resolution is Exempt from CEQA Under the Common Sense Exemption

(Sponsor: Planning and Building Services)

## Recommended Action:

Hear the appeal and Adopt a Resolution denying the appeal and affirming the adoption by the Planning Commission of Resolution No. PC\_2022-0018, which clarified interpretation of Mendocino County Code as it relates to occupancy of an entire dwelling unit as transient habitation and finding that the Resolution is Exempt from CEQA under the Common Sense Exemption; and authorize Chair to sign same.

Attachments: 00. Legal Notice - PC VHR Appeal FINAL

1. PC Resolution VHR Appeal Memo to BOS Draft - FINAL

Att. A - PC 2022-0018

Att. B - Planning Appeal - Morrow

Att. C - Planning Commission Documents

Att. D - C2 zoning Maps

Att. E Draft BOS Resolution for Denial - FINAL

Proof of Publication PC 2022-0018 UDJ

4f) Discussion and Possible Action Including Acceptance of the Update of the Status of the Property Adjacent to the Fort Bragg Branch Library; and Direction to Staff Regarding a Memorandum of Understanding with the Fort Bragg Friends of the Library and the Transfer and Merging of Property to Prepare for the Branch Expansion Project at No Cost to the General Fund

(Sponsor: Cultural Services Agency)

## Recommended Action:

Provide direction related to the update on the status of the property adjacent to the Fort Bragg Branch Library and direction to staff regarding a memorandum of understanding with the Fort Bragg Friends of the Library and the transfer and merging of property to prepare for the branch expansion project at no cost to the general fund.

Attachments: Grant Deed for Lot

**DRAFT Grant Budget** 

<u>Library Expansion Project History 1913 to 2023</u>

Ft Bragg Expansion Floor Plan 2-9-2023

DRAFT Property Acquisition Workflow from GSA

Letter to BOS from FBBFOL re property

4g) Chief Executive Officer's Report

(Sponsor: Executive Office)

Recommended Action:

Accept the Chief Executive Officer's report.

Attachments: 04-21-23 CEO Report April 2023 Edition (PDF)

Hyperlink to Online CEO Report April 2023 Edition

4h) 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.

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

**Attachments:** First District Supervisor Report

Second District Supervisor Report
Third District Supervisor Report

## 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.

6a) Pursuant to Government Code Section 54956.9(d)(2) - Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation: One Case

# 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 April 11, 2023 Regular Meeting

Recommended Action:

Approve minutes of April 11, 2023 regular meeting.

Attachments: 04-11-23 Minutes

# 3b) Approval of Minutes of April 12, 2023 Regular Closed Session Meeting

Recommended Action:

Approve minutes of April 12, 2023 regular closed session meeting.

Attachments: 04-12-23 Minutes

#### **APPOINTMENTS**

## 3c) Approval of Recommended Appointments/Reappointments

#### Recommended Action:

- 1. Tony Orth, Long Term Director, Mendocino County Resource Conservation District; and
- 2. Kimbal Dodge, Trustee, Cemetery District of the Redwoods.

**Attachments:** Orth Application

**Dodge Application** 

#### **BOARD OF SUPERVISORS**

3d) Acceptance of a Written Report From the Auditor-Controller/Treasurer-Tax Collector for the 2021/2022 Fiscal Year End Close, Including Any Carryforward Amount

(Sponsor: Supervisor McGourty)

Recommended Action:

Accept written report from the Auditor-Controller/Treasurer Tax Collector for the 2021/2022 fiscal year end close, including any carryforward amount.

Attachments: ACTTC Memo regarding 2021-22 General Fund 1100 Fund

Balance Carryforward

3e) Adoption of Resolution Authorizing the Transfer of Funds in the Amount of \$24,304.25 from the William J. and Melvina K. Toney Revocable Trust to the Historical Society of Mendocino County to Cover Capital Expenses Related to the Society's Property

(Sponsor: Supervisor McGourty)

## Recommended Action:

Adopt Resolution authorizing the transfer of funds in the amount of \$24,304.25 from the William J. and Melvina K. Toney Revocable Trust to the Historical Society of Mendocino County to cover capital expenses related to the Society's property; and authorize Chair to sign same.

Attachments: Resolution 23-076

Resolution

**Toney Trust Letter** 

3f) Direction for Auditor-Controller/Treasurer - Tax Collector to Provide Account Descriptors and Respective Balance for All County Specific Assets and Liabilities prior to the creation of the Annual Comprehensive Finance Report (ACFR) for Fiscal Years Ended June 30, 2020, June 30, 2021, and June 30, 2022, Within 10 Days of Action

(Sponsors: Supervisor Williams and Supervisor McGourty)

## Recommended Action:

Direct Auditor-Controller/Treasurer-Tax Collector to provide account descriptors and respective balances for all County specific assets and liabilities prior to the creation of the Annual Comprehensive Finance Report (ACFR) for Fiscal Years Ended June 30, 2020, June 30, 2021, and June 30, 2022, within 10 days of action.

#### **EXECUTIVE OFFICE**

3g) Adoption of Resolution Terminating the Existence of a Local Emergency Due to Drought Conditions in Mendocino County

## Recommended Action:

Adopt Resolution terminating the existence of a local emergency due to drought conditions in Mendocino County; and authorize Chair to sign same.

Attachments: Resolution 23-077

Resolution

3h) Approval of Retroactive Agreement with Mendocino County Fire Safe Council for Ignition Resistant Phase 2 Project Management Services in the Amount of \$20,000 for the Term of August 25, 2022 through June 30, 2023

#### Recommended Action:

Approve retroactive agreement with Mendocino County Fire Safe Council for Ignition Resistant project management services in the amount of \$20,000 for the term of August 25, 2022 through June 30, 2023; and authorize Chair to sign same.

Attachments: Agreement 23-059

3i) Approval of Agreement with Redwood Valley Grange in the Amount of \$8,781.71 from One-Time Pacific Gas and Electric Disaster Settlement Funds, as Reimbursement for Purchase and Installation of a New Heating, Ventilation and Air Conditioning System for the Redwood Valley Grange No. 382, Effective Upon Full Execution Through June 30, 2023

## Recommended Action:

Approve Agreement with Redwood Valley Grange in the amount of \$8,781.71 from one-time Pacific Gas and Electric Disaster Settlement Funds, as reimbursement for purchase and installation of a new heating, ventilation and air conditioning system for the Redwood Valley Grange No. 382, effective upon full execution through June 30, 2023; authorize the Chief Executive Officer or designee to sign amendments that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: Agreement 23-060

## ASSESSOR/CLERK-RECORDER

3j) Adoption of Resolution Authorizing the Elections Office to Not List Proponents and Opponents of Local Measures on the County Ballots for Future Elections

#### Recommended Action:

Adopt resolution authorizing the Elections Office to not to list supporters and opponents of local measures on the county ballot for future elections; and authorize Chair to sign same.

Attachments: Resolution 23-078

**Resolution** 

Memorandum AB 1416 Ballot Measure.pdf

3k) Approval of Database Information Agreement with ParcelQuest for Twenty Percent (20%) of the Gross Annual Revenue Generated From the Sale and/or Licensing of Data and Maps for the County Area

## Recommended Action:

Approve Database Information Agreement with ParcelQuest for twenty percent (20%) of the gross annual revenue generated from the sale and/or licensing of data and maps for the county areas, payment will be made within 60 days of the end of the calendar year to the County via the Assessor's Office; authorize the Assessor, Clerk-Recorder to sign any future amendments that do not affect the amount of the Agreement; and authorize Chair to sign same.

Attachments: Agreement 23-061

## BEHAVIORAL HEALTH AND RECOVERY SERVICES

3l) Approval of Amendment to Agreement No. BOS-22-166, with Redwood Community Services, Inc. in the Amount of \$1,600,000 for a New Agreement Total of \$10,123,000, to Provide Specialty Mental Health Services to Eligible Medi-Cal Beneficiaries of Mendocino County, Effective July 1, 2022 through June 30, 2023

#### Recommended Action:

Approve Amendment to Agreement No. BOS-22-166, with Redwood Community Services, Inc., in the amount of \$1,600,000 for a new Agreement total of \$10,123,000, to provide Specialty Mental Health Services to eligible Medi-Cal beneficiaries of Mendocino County, effective July 1, 2022 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 22-166-A1

#### **CANNABIS**

# 3m) Approval of the County of Mendocino Cannabis Department Update from April 2023

## Recommended Action:

Approve the County of Mendocino Cannabis Department Update from April 2023.

Attachments: MCD April Report

#### CULTURAL SERVICES AGENCY

3n) Authorization for the Mendocino County Library to Accept Award of \$19,862 from the California State Library for the Lunch at the Library Program 2023 to Provide Library Services to Youth at Community Meal Sites

# Recommended Action:

Authorize the Mendocino County Library to accept award of \$19,862 from the California State Library for the Lunch at the Library program 2023 to provide library services to youth at community meal sites.

Attachments: Award documents LatL 2023

#### **GENERAL SERVICES AGENCY**

3o) Approval of Revenue Grant Agreement with State of California Natural Resources Agency Department of Parks and Recreation for General Fund Specified Grant for Bower Park Restoration, in the Amount of \$2,200,000, Effective Upon Full Execution Through June 30, 2026; and Authorization for the Facilities and Fleet Division Manager to Establish a Capital Improvement Project for the Grant, and to Act as Project Manager

#### Recommended Action:

Approve revenue Grant Agreement with State of California Natural Resources Agency Department of Parks and Recreation for General Fund Specified Grant for Bower Park Restoration, in the amount of \$2,200,000, effective upon full execution through June 30, 2026; authorization for the Facilities and Fleet Division Manager to establish a Capital Improvement project, and to act as project manager; authorize the Purchasing Agent or designee to sign amendments that do not change the total contracted amount; and authorize Chair to sign same.

Attachments: Agreement 23-062

Interim Agreement \*23-062

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

## 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**

3q) Adoption of Resolution Amending Position Allocation Table as Follows: Budget Unit 1950; Add 1.0 FTE Administrative Analyst II \$75,316.80 -\$91,540.80

#### Recommended Action:

Adopt Resolution amending Position Allocation Table as follows: Budget Unit 1950; add 1.0 FTE Administrative Analyst II \$75,316.80 - \$91,540.80; and authorize Chair to sign same.

Attachments: Resolution 23-079

Resolution

#### INFORMATION TECHNOLOGY

3r) Approval of Agreement (Second Amendment to PA Agreement No. 21-243) with ClientFirst Consulting Group, LLC, DBA ClientFirst Technology Consulting in the Amount of \$39,570 for a New Total of \$87,680 to Provide Continued Consulting Services Related to Public Safety Microwave Radio Communication System Improvements, and Extending the End Date from June 30, 2023, to June 30, 2024

## Recommended Action:

Approve agreement (second amendment to PA Agreement No. 21-243) with ClientFirst Consulting Group, LLC, DBA ClientFirst Technology Consulting in the amount of \$39,570 for a new total of \$87,680 to provide continued consulting services related to Public Safety Microwave Radio Communications System improvements; and extending the end date from June 30, 2023 to June 30, 2024; authorize the Chief Executive Officer or designee to sign any future amendments that do not increase the total contract amount; and authorize Chair to sign same.

Attachments: Agreement 23-063

Original Agreement, PA 21-243

Amendment 1, PA Agreement 21-243-A1

## PLANNING AND BUILDING SERVICES

3s) Adoption of Resolution Authorizing the Processing of a Consolidated Coastal Development Permit, LCP\_2023-0002 (Trout Unlimited, Dry Dock Gulch Habitat Restoration), by the California Coastal Commission, for Trout Unlimited to Restore and Enhance Alcove Habitat for Juvenile and Adult Salmonids in Dry Dock Gulch in the Mendocino Area

#### Recommended Action:

Adopt Resolution authorizing the processing of a Consolidated Coastal Development Permit, LCP\_2023-0002 (Trout Unlimited, Dry Dock Gulch Habitat Restoration), by the California Coastal Commission, for Trout Unlimited to restore and enhance alcove habitat for juvenile and adult salmonids in Dry Dock Gulch in the Mendocino Area; and authorize Chair to sign same.

Attachments: Resolution 23-080

LCP 2023-0002 Attachment C - Resolution FINAL

LCP 2023-0002 Memo to BOS FINAL

LCP 2023-0002 Attachment A TU LCP Request DryDock

LCP 2023-0002 Attachment B Application Materials

#### TRANSPORTATION/SOLID WASTE

3t) Adoption of Resolution Approving Department of Transportation Agreement Number 230004, with North State Truck Equipment Inc DBA: Diesel Emissions Service, in the Amount of \$350,000 for the Term Beginning Upon Execution of the Agreement Through June 30, 2026 to Remain California Air Resource Board Compliant Countywide

#### Recommended Action:

Adopt Resolution approving Department of Transportation Agreement number 230004 with North State Truck Equipment Inc DBA: Diesel Emissions Service in the amount of \$350,000 for the term beginning upon execution of the Agreement through June 30, 2026, to remain California Air Resource Board Compliant Countywide; and authorize Chair to sign same.

Attachments: Resolution 23-081

Agreement 23-064

Resolution

NSTE DES Insurance Cert General (3)

ETB 23-69

#### **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.