

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor
Chair

DAN GJERDE
4th District
Supervisor
Vice-Chair

TED WILLIAMS
5th District
Supervisor



CARMEL J. ANGELO
Chief Executive Officer/
Clerk of the Board

CHRISTIAN M. CURTIS
County Counsel

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – November 17, 2020

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 9:03 A.M.)

Present: Supervisor Carre Brown, Supervisor John McCowen, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams. Chair Haschak presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer; Mr. Christian M. Curtis, County Counsel; and Ms. Lindsey Daugherty, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Chair Haschak.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Katrina Bartolomie; Ms. Katie Ford; Ms. Rose Britton; and Ms. Carmel J. Angelo.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Haschak.

Public Comment: None.

Board Directive: Consent Calendar item 4y) removed for separate consideration.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that Consent Calendar items 4a) – 4x) and 4z) – 4ah) are hereby approved as follows. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4A) APPROVAL OF RECOMMENDED SPECIAL DISTRICT APPOINTMENTS/REAPPOINTMENTS

Approved;

1. Mr. James Green, Millview County Water District;
2. Mr. Weldon Jones, Millview County Water District;
3. Mr. Stuart Titus, Redwood Coast Fire Protection District;
4. Mr. Anthoni "Chuckie" Sorensen, South Coast Fire Protection District;
5. Mr. Lee Welty, Albion Little River Fire Protection District
6. Ms. Pamela Linstedt, Albion Little River Fire Protection District;
7. Ms. Lea Christensen Morris, Albion Little River Fire Protection District;
8. Ms. Bree Klotter, Redwood Valley County Water District; and
9. Ms. Yvonne Bell, Potter Valley Community Services District.

4B) ADOPTION OF RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$48,106.76 FROM THE WILLIAM J. AND MELVINA K. TONEY REVOCABLE TRUST TO THE MENDOCINO COUNTY HISTORICAL SOCIETY TO COVER CAPITAL EXPENSES RELATED TO THE MUSEUM - SPONSOR: SUPERVISORS BROWN AND MCCOWEN

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-154

RESOLUTION 20-154

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE TRANSFER OF FUNDS FROM THE WILLIAM J. AND MELVINA K. TONEY REVOCABLE TRUST DEPOSITED INTO THE MENDOCINO COUNTY MUSEUM ENDOWMENT FUND TO THE MENDOCINO COUNTY HISTORICAL SOCIETY

4C) APPROVAL OF LETTER OF SUPPORT FOR EEL RIVER RECOVERY PROJECT'S APPLICATION FOR PROPOSITION 1 FUNDING TO ADVANCE WATER CONSERVATION AND EROSION CONTROL IN THE TENMILE CREEK WATERSHED - SPONSOR: SUPERVISORS BROWN AND HASCHAK

Approved;

4D) APPROVAL OF RETROACTIVE AGREEMENT WITH GREATER UKIAH BUSINESS AND TOURISM ALLIANCE IN THE AMOUNT OF \$91,850 FOR ITS MASK UP MENDO MARKETING SERVICES, TERM STARTING OCTOBER 1, 2020 TO SEPTEMBER 30, 2021 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-150

4E) ADOPTION OF RESOLUTION DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE OCTOBER WIND EVENTS AND CORRESPONDING PACIFIC GAS AND ELECTRIC PUBLIC SAFETY POWER SHUTOFF EVENTS ON OCTOBER 23, 2019, OCTOBER 26, 2019 AND OCTOBER 29, 2019, IN MENDOCINO COUNTY AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-155

RESOLUTION 20-155

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO THE OCTOBER 2019 WIND EVENTS

4F) ADOPTION OF RESOLUTION DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE MULTIPLE SEPTEMBER 2020 FIRES INCLUDING; AUGUST COMPLEX, OAK FIRE AND HOPKINS FIRE, AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND DECLARING THE CONTINUATION OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-156

RESOLUTION 20-156

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO SEPTEMBER 2020 FIRES AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND REAFFIRMING THE EXISTENCE OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER

4G) APPROVAL OF RETROACTIVE AGREEMENT WITH COMMUNITY FOUNDATION OF MENDOCINO COUNTY IN THE AMOUNT OF \$115,000 FOR COVID-19 RELIEF SERVICES, TERM STARTING OCTOBER 1, 2020 THROUGH DECEMBER 31, 2020 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-151

4H) ADOPTION OF ORDINANCE TO REPEAL AND REPLACE CHAPTER 6.20 OF THE MENDOCINO COUNTY CODE REGARDING LICENSURE OF TOBACCO RETAILERS - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4474

ORDINANCE 4474

ORDINANCE REPEALING AND REPLACING CHAPTER 6.20 OF THE MENDOCINO COUNTY CODE REGARDING LICENSURE OF TOBACCO RETAILERS

4I) APPROVAL OF RETROACTIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MENDOCINO, THE CITY OF UKIAH AND THE UKIAH VALLEY TRAIL GROUP TO COORDINATE THE MAINTENANCE OF TRAILS AND IMPROVEMENT PROJECTS AT LOW GAP PARK FOR THE PERIOD OF OCTOBER 31, 2019 THROUGH OCTOBER 31, 2023 - SPONSOR: CULTURAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-152

4J) AUTHORIZATION OF SUBMISSION OF GRANT APPLICATION FOR A CALIFORNIA STATE LIBRARY LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) FUNDED GRANT FOR AN AMOUNT UP TO \$20,000 FOR A MOBILE MEMORY LAB TO PROVIDE THE COMMUNITY WITH A DIGITIZATION STATION TO BE USED TO PRESERVE PHOTOGRAPHS, AUDIOVISUAL MATERIALS AND PERSONAL DOCUMENTS - SPONSOR: CULTURAL SERVICES AGENCY

Approved;

4K) AUTHORIZATION FOR THE MENDOCINO COUNTY LIBRARY TO ACCEPT A GRANT AWARD FROM THE FINANCIAL INDUSTRY REGULATORY AUTHORITY (FINRA) INVESTOR EDUCATION FOUNDATION IN THE AMOUNT OF \$5,000 FOR THE PURPOSE OF ENHANCING THE LIBRARY'S PERSONAL FINANCE COLLECTION - SPONSOR: CULTURAL SERVICES AGENCY

Approved;

4L) AUTHORIZATION FOR THE LIBRARY TO WAIVE ITEM RETURN LATE CHARGES AND TO PROVIDE LIMITED FREE PRINTING FOR CURBSIDE PICKUP DURING THE LIBRARY CLOSURE AND LIMITED OPENING DUE TO THE COVID-19 RESPONSE - SPONSOR: CULTURAL SERVICES AGENCY

Approved;

4M) APPROVAL OF RETROACTIVE AGREEMENT WITH BARBARA PROSNIOWSKI, PH.D. IN THE AMOUNT OF \$25,000 TO PROVIDE PSYCHOLOGICAL EVALUATIONS, CONSULTATION, AND EXPERT TESTIMONY FOR THE HEALTH AND HUMAN SERVICES AGENCY, FAMILY AND CHILDREN'S SERVICES, EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-153

4N) APPROVAL OF RETROACTIVE AGREEMENT WITH STEVEN SILER, LMFT IN THE AMOUNT OF \$25,000 TO PROVIDE MENTAL HEALTH THERAPY SERVICES NOT COVERED BY MEDI-CAL OR OTHER INSURANCE FOR COURT ORDERED CLIENTS FOR HEALTH AND HUMAN SERVICES AGENCY, FAMILY AND CHILDREN'S SERVICES, EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-154

4O) RATIFICATION OF SUBMISSION OF GRANT APPLICATION FOR UP TO \$5,463,823 OF FUNDS AVAILABLE THROUGH THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT, AS FUNDED BY THE SECOND ROUND OF FUNDING AUTHORIZED BY THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT, WITH A GRANT EFFECTIVE DATE OF UPON EXECUTION THROUGH SEPTEMBER 30, 2022; AND ADOPTION OF RESOLUTION AUTHORIZING THE HEALTH AND HUMAN SERVICES AGENCY ASSISTANT DIRECTOR/SOCIAL SERVICES DIRECTOR TO EXECUTE THE REVENUE AGREEMENT IF AWARDED AND ANY AMENDMENTS THAT DO NOT EXCEED THE MAXIMUM AMOUNT WITH THE COUNTY OF MENDOCINO AS THE ADMINISTRATIVE ENTITY FOR THE MENDOCINO COUNTY HOMELESS SERVICES CONTINUUM OF CARE (CA-509) - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-157

RESOLUTION 20-157

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO ACCEPT FUNDS UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT SECOND ALLOCATION TO THE EMERGENCY SOLUTIONS GRANTS (ESG) PROGRAM

4P) APPROVAL OF AGREEMENT WITH NUESTRA ALIANZA DE WILLITS IN THE AMOUNT OF \$158,700 TO PILOT A PROMOTORES DE SALUD PROGRAM TO ENGAGE WITH THE SPANISH SPEAKING COMMUNITY TO PROVIDE COVID-19 PREVENTION AND OUTREACH SERVICES, EFFECTIVE NOVEMBER 17, 2020 THROUGH MAY 31, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-155

4Q) APPROVAL OF RETROACTIVE SECOND AMENDMENT TO BOS AGREEMENT NO. 18-157 WITH MAGELLAN HEALTH SERVICES OF CALIFORNIA, INC. – EMPLOYER SERVICES, REVISING THE ORIGINAL EXHIBIT A SECTION 3.2 INCREASING THE NUMBER OF EAP COUNSELING SESSIONS FOR GENERAL EMPLOYEES AND REVISING THE PAYMENT TERMS IN THE ORIGINAL EXHIBIT B TO REFLECT THE UPDATED PRICING AND TO PURCHASE A SINGLE SIGN ON SERVICE, EFFECTIVE NOVEMBER 1, 2020 THROUGH DECEMBER 31, 2022 - SPONSOR: HUMAN RESOURCES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 18-157-A2

4R) APPROVAL OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT EM_2020-0004 (CATON) TO REMOVE ELEVEN (11) DEAD CYPRESS TREES ON THE NORTHWESTERN PORTION OF THE PARCEL, LOCATED AT 38050 OLD COAST HIGHWAY, GUALALA (APN 145-121-08) - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4S) APPROVAL OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT EM_2020-0003 (NGWC) TO DECOMMISSION A FAILING WATER STORAGE TANK AND INSTALL TWO (2) 4,500 GALLON TEMPORARY TANKS AFFECTING TWO LOCATIONS; 46150 SUNSET DRIVE, ANCHOR BAY, CA (APN: 143-222-07) AND A SECOND UNADDRESSED LOCATION (APN 145-121-08) - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4T) APPROVAL OF PRIVATE ROAD NAME REQUEST RN_2020-0005 (GREY FOX ROAD) IN THE BOONVILLE AREA, FINDING IT TO BE IN CONFORMANCE WITH MENDOCINO COUNTY CODE SEC. 18.16, OFFICIALLY NAMING THE PRIVATE ROAD, AND DIRECTING STAFF TO ASSIGN ADDRESSES ACCORDINGLY - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4U) APPROVAL OF PRIVATE ROAD NAME REQUEST RN_2020-0006 (HIGHLANDS RIDGE ROAD) IN THE YORKVILLE AREA, FINDING IT TO BE IN CONFORMANCE WITH MENDOCINO COUNTY CODE SEC. 18.16, OFFICIALLY NAMING THE PRIVATE ROAD, AND DIRECTING STAFF TO ASSIGN ADDRESSES ACCORDINGLY - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4V) APPROVAL OF PRIVATE ROAD NAME REQUEST RN_2020-0007 (JOSEFINAS ROAD) IN THE PHILO AREA, FINDING IT TO BE IN CONFORMANCE WITH MENDOCINO COUNTY CODE SEC. 18.16, OFFICIALLY NAMING THE PRIVATE ROAD, AND DIRECTING STAFF TO ASSIGN ADDRESSES ACCORDINGLY - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4W) APPROVAL OF PRIVATE ROAD NAME REQUEST RN_2020-0008 (SHEPHERD LAKE ROAD) IN THE LAYTONVILLE AREA, FINDING IT TO BE IN CONFORMANCE WITH MENDOCINO COUNTY CODE SEC. 18.16, OFFICIALLY NAMING THE PRIVATE ROAD, AND DIRECTING STAFF TO ASSIGN ADDRESSES ACCORDINGLY - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4X) APPROVAL OF PRIVATE ROAD NAME REQUEST RN_2020-0003 (DENMARK CREEK ROAD) IN THE BOONVILLE AREA, FINDING IT TO BE IN CONFORMANCE WITH MENDOCINO COUNTY CODE SEC. 18.16, OFFICIALLY NAMING THE PRIVATE ROAD AND DIRECTING STAFF TO ASSIGN ADDRESSES ACCORDINGLY - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4Z) APPROVAL OF AGREEMENT WITH TAYLOR CODE CONSULTING, IN THE AMOUNT OF \$375,000 TO PROVIDE CODE ENFORCEMENT DIVISION CONSULTING SERVICES, CANNABIS REGULATORY ENFORCEMENT, FIRE/DISASTER RECOVERY, AND COVID RESPONSE ASSISTANCE, AS DIRECTED BY THE COUNTY OF MENDOCINO, FOR A TERM OF 30 MONTHS, BEGINNING ON JANUARY 1, 2021 AND EXPIRING ON JUNE 30, 2023 - SPONSOR: PLANNING AND BUILDING SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-158

4AA) ADOPTION OF RESOLUTION DENYING THE APPEAL OF THE PLANNING COMMISSION APPROVAL OF A NEGATIVE DECLARATION AND MAJOR USE PERMIT FOR A WIRELESS COMMUNICATIONS FACILITY LOCATED NEAR WILLITS (U_2019-0011), AND ADOPTING A NEGATIVE DECLARATION AND GRANTING A MAJOR USE PERMIT FOR SAID FACILITY WITH A MODIFIED PROJECT DESCRIPTION AND CONDITIONS OF APPROVAL TO MAKE THE FACILITY A MONOPINE - SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-158

RESOLUTION 20-158

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DENYING THE APPEAL OF THE PLANNING COMMISSION APPROVAL OF A NEGATIVE DECLARATION AND MAJOR USE PERMIT FOR A WIRELESS COMMUNICATION FACILITY LOCATED NEAR WILLITS (U_2019-0011), AND ADOPTING A NEGATIVE DECLARATION AND GRANTING A MAJOR USE PERMIT FOR SAID FACILITY WITH A MODIFIED PROJECT DESCRIPTION AND CONDITIONS OF APPROVAL TO MAKE THE FACILITY A MONOPINE

4AB) DENIAL OF REZONING (R_2019-0009 - REDWOOD VALLEY/WEST ROAD DISTRICT) WHICH PROPOSED TO ADD A CANNABIS ACCOMMODATION (CA) COMBINING DISTRICT FOR FOURTEEN (14) LEGAL PARCELS, TOTALING 27.03± ACRES, TO PARCELS CURRENTLY ZONED RURAL RESIDENTIAL (RR), FINDING THAT IMPACTS OF COMMERCIAL CANNABIS OPERATIONS, INCLUDING BUT NOT LIMITED TO AESTHETICS, NOISE, SMELL, AND TRAFFIC, ARE INCONSISTENT WITH THE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD OF THE PARCELS OF THE REQUESTED REZONE, MAKING THE PROPOSED REZONING CONTRARY TO THE GENERAL WELFARE OF THE COUNTY - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4AC) APPROVAL OF RETROACTIVE 2020 EDWARD BYRNES JUSTICE ASSISTANCE GRANT (JAG) AWARD FROM THE U.S. DEPARTMENT OF JUSTICE (DOJ) IN THE AMOUNT OF \$17,448 FOR THE PROJECT PERIOD OF OCTOBER 1, 2019 TO SEPTEMBER 30, 2021 FOR THE PURCHASE OF VIDEO REDACTION AND EDITING SOFTWARE FOR IN CAR RECORDINGS AND THE REPLACEMENT OF AGED COMPUTER AND COMMUNICATIONS EQUIPMENT - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-159

4AD) ADOPTION OF RESOLUTION APPROVING AIRPORT CAPITAL IMPROVEMENT PLANS FOR THE LITTLE RIVER AND ROUND VALLEY AIRPORTS FOR FISCAL YEARS 2021 – 2026 AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ALL PERTINENT DOCUMENTS REQUIRED FOR FILING SAID PLANS WITH THE FEDERAL AVIATION ADMINISTRATION (LITTLE RIVER AND COVELO AREAS) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-159

RESOLUTION 20-159

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AIRPORT CAPITAL IMPROVEMENT PLANS FOR THE LITTLE RIVER AND ROUND VALLEY AIRPORTS FOR FISCAL YEARS 2021-2026 AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ALL PERTINENT DOCUMENTS REQUIRED FOR FILING SAID PLANS WITH THE FEDERAL AVIATION ADMINISTRATION (LITTLE RIVER AND COVELO AREAS)

4AE) ADOPTION OF RESOLUTION APPROVING AMENDMENT NUMBER 1 TO BOARD OF SUPERVISORS AGREEMENT NUMBER 01-252 / DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 000101, LAND LEASE AGREEMENT WITH ALBION LITTLE RIVER FIRE PROTECTION DISTRICT FOR A PORTION OF LAND AT LITTLE RIVER AIRPORT (LITTLE RIVER AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-160

RESOLUTION 20-160

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NUMBER 1 TO BOARD OF SUPERVISORS AGREEMENT NUMBER 01-252 / DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 000101, LAND LEASE AGREEMENT WITH ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT FOR A PORTION OF LAND AT LITTLE RIVER AIRPORT (LITTLE RIVER AREA)

4AF) ADOPTION OF ORDINANCE AMENDING CAMPING AND PARKING REGULATIONS OF THE COUNTY OF MENDOCINO – MENDOCINO COUNTY CODE SECTION 14.32.030 – UNLAWFUL CAMPING, SECTION 15.12.040 – PROHIBITED PARKING, AND SECTION 15.12.041 – LIMITED TIME PARKING (VARIOUS AREAS) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4475

ORDINANCE 4475

ORDINANCE AMENDING CERTAIN CAMPING AND PARKING REGULATIONS OF THE COUNTY OF MENDOCINO - MENDOCINO COUNTY CODE SECTION 14.32.030 - UNLAWFUL CAMPING, SECTION 15.12.040 – PROHIBITED PARKING, AND SECTION 15.12.041 – LIMITED TIME PARKING (VARIOUS AREAS)

4AG) APPROVAL OF CERTIFICATION OF THE ELECTION RESULTS FOR THE LODGING BUSINESS IMPROVEMENT DISTRICT (LBID) BOARD OF DIRECTORS TO THE MENDOCINO COUNTY TOURISM COMMISSION (MCTC) APPOINTING RAAKESH PATEL TO THE LARGE INLAND LODGING OPERATOR SEAT, SCOTT CONNOLLY TO THE MEDIUM LODGING OPERATOR SEAT, AND ELAINE WING HILLESLAND TO THE SMALL LODGING OPERATOR SEAT - SPONSOR: TREASURER-TAX COLLECTOR

Approved;

4AH) ACCEPTANCE OF THE SEPTEMBER 30, 2020 REPORT OF MENDOCINO COUNTY POOLED INVESTMENTS - SPONSOR: TREASURER-TAX COLLECTOR

Approved.

AGENDA ITEM NO. 4 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:

4Y) APPROVAL OF AGREEMENT WITH 4FRONT PARTNERS IN AN AMOUNT NOT TO EXCEED \$211,565 FOR CANNABIS EQUITY GRANT ADMINISTRATIVE SERVICES, WITH A CONTRACT TERM EFFECTIVE UPON DATE OF EXECUTION THROUGH AUGUST 21, 2021 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Brent Schultz, Director, Planning and Building Services; and Ms. Megan Dukett, Cannabis Program Manager.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors approves Agreement with 4Front Partners in an amount not to exceed \$211,565 for the Cannabis Equity Grant Administrative Services, with a contract term through August 21, 2021; and authorizes Chair to sign same:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Agreement 20-157

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING AN UPDATE ASSOCIATED WITH THE NOVEL CORONAVIRUS (COVID-19); AND PROVIDE POSSIBLE DIRECTION REGARDING ESSENTIAL SERVICES IN MENDOCINO COUNTY, OPERATIONAL PREPARATION AND RESPONSE, AND ASSOCIATED COUNTYWIDE ECONOMIC IMPACTS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Mr. Andrew Coren, County Health Officer; and Ms. Bekkie Emery, Assistant Director, Health and Human Services Agency.

Public Comment: None.

BOARD BROKE FROM AGENDA ITEM 5A) TO HEAR HARD TIMED ITEM AT 10:00 A.M.

5B) DISCUSSION AND POSSIBLE ACTION REGARDING A PRESENTATION FROM CALFIRE MENDOCINO UNIT CHIEF GEORGE GONZALEZ, ON CALFIRE’S FIRE FUEL REDUCTION PLANS AND PROJECTS INTENDED FOR COMPLETION IN MENDOCINO COUNTY PRIOR TO THE 2021 WILDFIRE SEASON - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. George Gonzalez, Chief, CAL FIRE.

Public Comment: None.

Board Action: No action taken.

BOARD CONTINUED AGENDA ITEM 5A)

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING AN UPDATE ASSOCIATED WITH THE NOVEL CORONAVIRUS (COVID-19); AND PROVIDE POSSIBLE DIRECTION REGARDING ESSENTIAL SERVICES IN MENDOCINO COUNTY, OPERATIONAL PREPARATION AND RESPONSE, AND ASSOCIATED COUNTYWIDE ECONOMIC IMPACTS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Mr. Andrew Coren, County Health Officer; and Ms. Bekkie Emery, Assistant Director, Health and Human Services Agency.

Public Comment: None.

Board Action: No action taken.

BOARD RECESS: 10:59 A.M. – 11:15 A.M.

5D) DISCUSSION AND POSSIBLE ACTION INCLUDING REAPPOINTMENTS TO 6TH MEMBER SEAT, THE 5TH MEMBER SEAT, AND THE 9TH MEMBER SEAT OF THE MENDOCINO COUNTY EMPLOYEES' RETIREMENT ASSOCIATION BOARD - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Lindsey Daugherty, Deputy Clerk of the Board.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors makes reappointments to the Mendocino County Employees' Retirement Association Board as follows:

- 1. Dan Gjerde, 5th Member Seat;
- 2. Jerilyn Harris, 9th Member Seat; and
- 3. Kathryn Smith, 6th Member Seat. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

5E) DISCUSSION AND POSSIBLE ADOPTION OF AN URGENCY ORDINANCE FOR TEMPORARY GROUP CARE FACILITIES FOR THE PURPOSE OF ALLOWING FOR WINTER HOMELESS SHELTERS DURING THE COVID-19 PANDEMIC AND 2020-2021 WINTER - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Julia Acker Krog, Chief Planner, Planning and Building Services.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors adopts Urgency Ordinance for temporary group care facilities for the purpose of allowing for winter homeless shelters during the COVID-19 pandemic and 2020-2021 winter; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

ADJOURNED TO CLOSED SESSION: 11:45 A.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – ONE MATTER

9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: BRANDY MOULTON V. DAN GJERDE – U.S. NORTHERN DISTRICT COURT CASE No. 20-CV-02374-MMC

9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) – CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION – ONE MATTER

RECONVENED IN OPEN SESSION: 1:46 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Haschak.

Board Action: With respect to Agenda Item 9a) Supervisor McCowen recused himself and direction was give to staff. With respect to Agenda Item 9b) Supervisor Gjerde recused himself and authority was given to County Counsel to engage in litigation. With respect to Agenda Item 9c) direction was given to staff.

5C) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF THE FIRST QUARTER BUDGET REPORT ON THE STATUS OF COUNTY DEPARTMENTAL SPENDING AND REVENUES FOR FISCAL YEAR (FY) 2020-21 AND EXECUTIVE OFFICE RECOMMENDATIONS FOR FY 2020-21 - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Darcie Antle, Deputy Chief Executive Officer; Mr. Brent Schultz, Director, Planning and Building Services; Mr. Lloyd Weer, Auditor Controller; Ms. Janelle Rau, Deputy Chief Executive Officer; and Mr. Peter McNamara, Health Plan Consultant, Keenan Associates.

Public Comment: None.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors approves recommendations with the exception of increased contribution to the health care plan and directs staff to bring back a comprehensive proposal to shore up health care plan. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

5F) DISCUSSION AND POSSIBLE ACTION INCLUDING INTERVIEWS WITH APPLICANTS AND POSSIBLE APPOINTMENT TO THE MENDOCINO COAST HEALTH CARE DISTRICT - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Lindsey Daugherty, Deputy Clerk of the Board.

Public Comment: Mr. Norman de Vall; and Mr. Robert Scott.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors appoints Norman De Vall to the Mendocino Coast Health Care District. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

5G) DISCUSSION AND POSSIBLE ACTION INCLUDING AUTHORIZATION TO AWARD A CONTRACT TO CUPPLES AND SONS CONSTRUCTION, INC. IN THE AMOUNT OF \$3,134,765.00 FOR THE UKIAH CRISIS RESIDENTIAL TREATMENT FACILITY PROJECT AT 631 SOUTH ORCHARD AVENUE, UKIAH, CA; AND AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ACT AS PROJECT MANAGER TO APPROVE CHANGE ORDERS FOR THE PROJECT, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Alyson Bailey, Project Manager, Measure B; and Mr. Doug Anderson, Manager, Facilities and Fleet.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors authorizes award of a contract to Cupples and Sons Construction, Inc. in the amount of \$3,134,765.00 for the Ukiah Crisis Residential Treatment Facility project at 631 South Orchard Avenue, Ukiah, CA; authorizes Chair to sign same; and authorizes the Facilities and Fleet Division Manager to act as project manager to approve change orders for the project pursuant to Public Contract Code Section 20142. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Agreement 20-161

5H) NOTICED PUBLIC HEARING DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE READING OF AN ORDINANCE AMENDING CHAPTER 5.140 - MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT TO MODIFY THE BOUNDARIES OF THE DISTRICT TO INCLUDE THE INCORPORATED AREA OF THE CITY OF POINT ARENA TO PROVIDE FOR THE LEVYING OF ASSESSMENTS ON SPECIFIED HOTEL BUSINESSES WITHIN THE CITY OF POINT ARENA - SPONSORS: PLANNING AND BUILDING SERVICES AND COUNTY COUNSEL

Presenter/s: Ms. Adrienne Thompson, Office Services Supervisor, Planning and Building Services; Mr. Travis Scott, Executive Director, Mendocino Tourism Commission; Mr. Paul Anderson, Representative, City of Point Arena; and Mr. Matthew Kiedrowski, Deputy County Counsel.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors introduces and waives reading of an Ordinance as modified, amending Chapter 5.140 Mendocino County Lodging Business Improvement District to modify the boundaries of the District to include the incorporated area of the City of Point Arena to provide for the levying of assessments on specified hotel businesses within the City of Point Arena. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

BOARD RECESS: 3:33 P.M. – 3:49 P.M.

5I) DISCUSSION AND POSSIBLE ACTION REGARDING DEPARTMENT OF TRANSPORTATION DIRECTOR’S APPROVAL OF RATE ADJUSTMENTS FOR SOLID WASTE COLLECTION AREA NUMBER TWO (FORT BRAGG AND UKIAH AREAS) - SPONSOR: TRANSPORTATION

Presenter/s: Mr. Howard Dashiell, Director, Transportation.

Public Comment: Ms. Devon Jones.

Board Directive: BY ORDER OF THE CHAIR direct staff to return with discussion surrounding retroactive fees for Closed Session discussion.

Board Action: No action taken.

5J) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: SHERIFF’S OFFICE - BUDGET UNIT 2310 - ADD ONE (1.0) FTE ADMINISTRATIVE SERVICES MANAGER II; ONE (1) FTE PROGRAM MANAGER, DELETE ONE (1) SHERIFF’S BUSINESS SERVICES OFFICER - SPONSOR: HUMAN RESOURCES

Presenter/s: Mr. Williams Schurtz, Director, Human Resources; Ms. Juanie Cranmer, Manager, Human Resources; and Mr. Darren Brewster, Undersheriff.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors adopts of Resolution amending the Position Allocation Table as follows: Sheriff’s Office Budget Unit 2310 Add One (1.0) FTE Administrative Services Manager II; One (1) FTE Program Manager, Delete One (1) Sheriff’s Business Services Officer, and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Resolution 20-161

RESOLUTION 20-161

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

5K) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: PLANNING AND BUILDING SERVICES - BUDGET UNIT 2851 ADD ONE (1.0) FTE ASSISTANT DIRECTOR PLANNING AND BUILDING SERVICES - SPONSOR: HUMAN RESOURCES

Presenter/s: Ms. Juanie Cranmer, Manager, Human Resources.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors adopts Resolution amending the Position Allocation Table as follows: Planning and Building Services – Budget Unit 2851 add one (1.0) FTE Assistant Director Planning and Building Services; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak and Supervisor Williams

No: 1 – Supervisor Gjerde

Absent: 0 – None

Enactment No: Resolution 20-162

RESOLUTION 20-162

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

5L) CHIEF EXECUTIVE OFFICER’S REPORT

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: None.

Board Action: No action taken.

6A) SUPERVISOR’S REPORTS

~~5M) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATHIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM - SPONSOR: EXECUTIVE OFFICE~~

Withdrawn.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:48 P.M.

Attest: LINDSEY DAUGHERTY
Deputy Clerk of the Board

JOHN HASCHAK, Chair

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
- 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

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